PLATO REDIVIVUS:

OR, A DIALOGUE CONCERNING Government,

Wherein, by Obſervations drawn from other KINGDOMS and STATES both Ancient and Modern, an Endeavour is uſed to diſcover the preſent POLITICK DISTEMPER of our OWN, with the CAUSES, and REMEDIES.

Non Ego ſum Vates, ſed Priſci conſcius ævi.
Pluribus exemplis hæc tibi Myſta Cano.
Res nolunt male adminiſtrari.

LONDON,
Printed for *S. I.* in the Year
M DC LXXXI.

THE PUBLISHER TO THE READER.

Courteous Reader,

ALL the Account I can give thee of this Piece is; that about the middle of October *laſt it was ſent to me, accompanied with a Letter without a Name, and written in a Hand altogether unknown to me, though different from the Character of the Dialogue it ſelf, and the Argument. The Letter was very ſhort; and contained only, that the Writer having the fortune to meet with this Diſcourſe (of which he*

denied to be the Author) he thought it very fit to be sent to me, to the end, if I thought it could be of any advantage to me, and no prejudice, I might publish it if I pleased, and make my best of it. When I had opened it, and perceived that it treated of Government, and of the present Times; I supposing it to be something of the nature of those Scurrulous Libels which the Press spawns every day, was extreamly displeased with my Servant, for receiving in my absence, and in these dangerous days, such a Packquet, without taking any account or notice of the Messenger who brought it: 'till he, to appease me, assured me, that the Bearer did look like a Gentleman, and had a very unsuitable Garb to a Trapan; and that he did believe he had seen him often at my Shop, and that I knew him well. When I had

begun

begun to read it, and found no harm, I was resolved to peruse it in the Company of a Gentleman, a worthy Friend of mine; who, to his exact Skill and Learning in the Laws of his Country, hath added a very profound Knowledge in all other Literature; and particularly, the excellence of Platonick *Philosophy. When we had joyntly gone through it, he was clearly of Opinion, That although some might be angry with certain passages in it, yet the Discourse reflecting upon no particular Person, was very uncapable of bringing me into any danger for publishing it; either from the State, or from any private Man. When I had secured my self against* Damnum Emergens, *we went about the Consideration of the other part of the distinction of the Schools, which is* Lucrum cessans,

And I made some Objections against the probability of vending this Dialogue to Profit; which, in things of my Trade, is always my design, as it ought to be. My first Fear in that behalf was, that this Author would disgust the Reader, in being too confident and positive in matters of so high a Speculation. My Friend replied, that the Assurance he shewed was void of all Sawcineſs, and expressed with great Modesty; and that he verily believed that he meant very faithfully and sincerely towards the Interest of England. *My next doubt was, that a considerable part of this Treatise being a Repetition of a great many Principles and Positions out of* Oceana, *the Author would be discredited for borrowing from another, and the Sale of the Book hindred. To that my Friend made answer, that*

before

before ever Oceana *came out, there were very many Treatiſes and Pamphlets, which alledged the Political Principle,* That Empire was founded in Property, *and diſcourſed rationally upon it: Amongſt the reſt, one entituled* A Letter from an Officer in *Ireland*, to His Highneſs the Lord Protector, (*which he then ſhewed me*) *printed in* 1653. *as* I *remember*; *which was more than three Years before* Oceana *was written: and yet, ſaid he, no Man will aver that the Learned Gentleman who writ that Book had ſtollen from that Pamphlet. For whoſoever ſets himſelf to ſtudy Politicks, muſt do it by reading Hiſtory, and obſerving in it the ſeveral Turns and Revolutions of Government: and then the Cauſe of ſuch Change will be ſo viſible and obvious, that we need not impute*

Theft

Theft to any Man that finds it out: it being as lawful, and as eaſie for any Perſon, as well as for the Author *of* Oceana, *or that Pamphlet, to read* Thucidides, Polybius, Livy *or* Plutarch: *and if he do ſo with attentiveneſs, he ſhall be ſure to find the ſame things there that they have found. And if this were not Lawful, when that any one Perſon has written in any Science, no Man muſt write after him: for in* Polity, *the Orders of* Government; *in* Architecture, *the ſeveral Orders of* Pillars, Arches, Architraves, Corniſhes, &c. *In* Phyſick, *the* Cauſes, Prognoſticks *and* Criſis *of* Diſeaſes, *are ſo exactly the ſame in all Writers, that we may as well accuſe all ſubſequent Authors to have been but Plagiaries of the Antecedent. Beſides this, the Learned Gentle-*

Gentleman added, that Oceana *was written (it being thought Lawful ſo to do in thoſe times) to evince out of theſe Principles, that* England *was not capable of any other* Government *than a* Democracy. *And this Author out of the ſame* Maxims, *or Aphoriſms of Politicks, endeavours to prove that they may be applied naturally and fitly, to the redreſſing and ſupporting one of the beſt* Monarchies *in the* World, *which is that of* England. *I had but one Doubt more, and that was an Objection againſt the Title, which I reſolved at the firſt not to mention, becauſe I could ſalve it by altering the Title Page. But ſince I had opportunity, I acquainted the Gentleman with it: And it was, That certainly no Man would ever buy a Book that had in*

Front

Front of it ſo inſolent and preſumptuous a Motto as Plato Redivivus; *for that he muſt needs be thought not only vain in the higheſt degree, but void of Sence and Judgment too, who compares himſelf with* Plato, *the greateſt* Philoſopher, *the greateſt* Politician (*I had almoſt ſaid the greateſt* Divine *too*) *that ever lived. My* Counſellor *told me that he had as great a reſentment of any Injury done to* Plato *as I, or any Man could have. But that he was hard to believe that this Man intended to compare himſelf to* Plato, *either in Natural Parts or Learning; but only to ſhew that he did imitate his way of Writing, as to the manner of it; (though not the matter) as he hath done exactly. For* Plato *ever writ*

writ these high Matters in easie and familiar Dialogues, and made the great Philosophers, and learned men of that Age; as Simias, Cebes, Timæus, Callias, Phædon, &c. *yea, and* Socrates *himself, the* Interlocutors, *although they never heard any thing of it till the Book came out. And although talking of* State *Affairs in a* Monarchy *must needs be more offensive than it was in the* Democracy *where* Plato *lived. And therefore our Author has forborn the naming the Persons who constitute this* Dialogue; *yet he does make a pretty near Representation and Character of some Persons, who, I dare swear never heard of this Discourse, nor of the Author's Design. This convinced me, and made me suffer the Title to pass. So that I have nothing more to say to thee, Courteous Reader, but to desire*

thee

thee to pardon the Faults in Printing, and also the plainness and easiness of the Style, and some Tautologies: which latter I could easily have mended, but that I thought the Author did not let them pass out of neglect, but design: and intended that both they, and the familiarity of the words and expressions, suited better with his purpose of disposing this matter to be treated in ordinary Conversation amongst private Friends, than full Periods and starch'd Language would have done; which might have been Impropriety. The next Request I have to thee is, that if thou dost believe this Discourse to be a very foolish one, as it may be for ought I know (for I am no fit Judge of such matters) that thou wilt yet vouchsafe to suspend thy Censure of it for a while, till the whole Impression is vended: that so, although

neither

neither the Publick nor thy self may ever reap any Benefit or Profit by it, I may be yet so fortunate by thy favour as to do it. Which will make me study thy Content hereafter in something better; and in the mean time remain,

Thy Friend and Servant.

ERRATA.

PAg 5.lin.11.read *Ido*,p.6.l.2.r. *this vent*,p.52.l.12.r.*and before that the Land-Army of* Darius,p.68.l.8.r.*ripigliar* p.69.l.16.r.*Policies*,p.76.l22.r.*Urusceperie* p.78.l.21.r.*I have read many*, p.80. l.14. r. *rigorous*, p.82. l.3. dele *more*, p.85. l.7.r.*the remoteness of*. p.89. l.12.r.*preserve*,p.94. l.24.r.*Allodiali*, p.95.l.10.r.*Land*, p.96.l.25.r.*I suppose*, p.99.l.9.r. *intervened*, p.124.l.9.for *His Majesty*, r. *any King*, p.128.l.7.r. *manner and form*, p.150.l.15,r. *Alcaval*, p.162.l.5.r.*Agreement in Parliament*, p.184. l.21. r.*rigorous*, p.189. l.r. *the People*, p.206.l.12.r.*So that as*. p.215.l.26.r.*his Word*, p.221. l.24.r.*is a*, p.223.l.13.r.*States*, p.224.l.ult.for *Family*,r.*Son*, p.226. l.20.r. *Demagogues*, p.230 l.24. dele *but*, p.232.l.4. r.*Insævire*,p.237.l.21,r.*Powers*,p.245.l.7.for *Purses*,r.*Persons*

The Argument.

A Noble Venetian, *not one of the young Fry, but a grave ſober perſon, who had born Office and Magiſtracy in his own Common-Wealth, having been ſome years ſince in* France *with a near Relation of his who was Ambaſſadour at that Court, and finding himſelf out of Employment, reſolved to divert himſelf by viſiting ſome part of the World which he had never ſeen; and ſo paſſing through* Germany, Flanders, *and* Holland, *arrived in* England *about the beginning of* May *laſt, bringing Letters of recommendation to ſeveral* Engliſh *Gentlemen, who had been Travellers, and made Friendſhip in his Country. A Cuſtom uſually practiſed amongſt ſuch who travel into any part where they have no habitude or acquaintance. Amongſt the reſt, he was addreſſed to one of the Gentlemen who acts a part in this Dialogue: Who after he had waited upon him, and ſerved*

him for near two Months, had certain neceſſary occaſions, which called him for ſome time into the Country. Where he had not been above three Weeks, before he heard, by meer accident, that the Gentleman of Venice *was fallen dangerous ſick of a malignant Feaver. Which made him poſt away immediately to* London, *to aſſiſt and ſerve him in what he might. But he found him almoſt perfectly reſtored to his health by an eminent Phyſician of our Nation, as renowned for his Skill and Cures at home; as for his Writings both here and abroad: And who beſides his profound knowledge in all Learning, as well in other Profeſſions as his own, had particularly arriv'd to ſo exact and perfect a diſcovery of the formerly hidden parts of humane Bodies, that every one who can but underſtand Latin, may by his means know more of Anatomy, than either* Hypocrates, *or any of the Ancients or Moderns did, or do perceive. And if he had lived in the days of* Solomon, *that great Philoſopher would never have ſaid* Cor hominis inſcrutabile. *This excellent Doctor being*

the ſick mans Chamber, when the other Engliſh *Gentleman, newly alighted, came to viſit him. After ſome Compliments and Converſation of courſe, they begun to talk of Political Matters, as you will better underſtand by the Introduction, and by the Diſcourſe it ſelf.*

The FIRST DAY.

The Introduction.

Engliſh Gentleman. THE ſudden news I had of your ſad diſtemper, and the danger you were in, has been the cauſe of a great deal of affliction to me, as well as of my preſent and ſpeedy repair to *London*, ſome Weeks ſooner than I intended: I muſt confeſs I received ſome comfort to hear at my arrival of your amendment, and do take much more now to find you up, and

him for near two Months, had certain necessary occasions, which called him for some time into the Country. Where he had not been above three Weeks, before he heard, by meer accident, that the Gentleman of Venice *was fallen dangerous sick of a malignant Feaver. Which made him post away immediately to* London, *to assist and serve him in what he might. But he found him almost perfectly restored to his health by an eminent Physician of our Nation, as renowned for his Skill and Cures at home; as for his Writings both here and abroad: And who besides his profound knowledge in all Learning, as well in other Professions as his own, had particularly arriv'd to so exact and perfect a discovery of the formerly hidden parts of humane Bodies, that every one who can but understand Latin, may by his means know more of Anatomy, than either* Hypocrates, *or any of the Ancients or Moderns did, or do perceive. And if he had lived in the days of* Solomon, *that great Philosopher would never have said* Cor hominis inscrutabile. *This excellent Doctor being i*

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as I hope recovered; which I knew would be a neceſſary conſequence of your ſending for this excellent Phyſician, the *Eſculapius* of our Age, it being the firſt requeſt I had to make to you, if by ſeeing him here in your Chamber I had not found it needleſs. For the Deſtiny of us *Engliſh*-men depends upon him, and we either live or dye Infallibly, according to the Judgment or good Fortune we have, when we are ſick, either to call or not call him to our aſſiſtance.

Noble Venetian. I am Infinitely obliged to you, for your care of me, but am ſorry it has been ſo inconvenient to you, as to make you leave your Affairs in the Country ſooner than you propoſed to your ſelf to do: I wiſh I might be ſo fortunate in the courſe of my Life, as to find an opportunity of making ſome part of an acknowledgment, for this and all the reſt of your favours, but ſhall pray God it may not be in the ſame kind; but that your health may ever be ſo entire, that you never need ſo tranſcendent a Charity, as I now receive from your Goodneſs: And as to this incomparable Doctor; although, I muſt confeſs, that

all

all the good which has happen'd to me in this Country, as well as the knowledge I have received of Persons and Things, does derive from you; yet I must make an exception, as to this one point; for if I can either read, or hear, this Gentleman's excellent Writings, and the Fame he worthily enjoys in my Country, would have made it inexcusable in me, to implore the help of any other; and do assure you, that, before I left *England*, it was in my Ambition to beg your Mediation towards the bringing me into the acquaintance and favour of this Learned Person, even before I had any thoughts of becoming the Object of his Care and Skill, as now I am the Trophy of both.

Doctor. Well, Gentlemen, you are both too great to be Flatterers, and I too little to be flattered, and therefore I will impute this fine discourse you both make about me, to the overflowing of your Wit, and the having no Object near you to vent it upon but me. And for you, Sir, if my Art fail me not, the voiding this Mirth, is a very good sign that you are in a fair way to a perfect recovery.

And for my Country-man here: I hope whileſt he has his vent, that his Hypocondriack diſtemper will be at quiet, and that neither his own thoughts, nor the ill poſture of our Publick Affairs will make him hang himſelf, for at leaſt this twelve Months: Only, Gentlemen, pray take notice, that this does not paſs upon me, nor do I drink it like Milk (as the *French* phraſe it) being mindful of what a grave Gentleman at *Florence* replyed to a young Eſquire, who anſwered his Compliments with, *Oh, Sir, you flatter me, i prencipi s'adulano i pari voſtri ſi coglionono*; That laſt word I cannot render well into *Latin*.

Engliſh Gentleman. Well, Doctor, we will not offend your Modeſty: The next time we do you Juſtice, it ſhall be behind your back, ſince you are ſo ſevere upon us. But you may aſſure your ſelf that my intention of recommending you to this Gentleman, was for his own ſake, and not for yours: For you have too many Patients already, and it were much better, both for you and us, that you had but half ſo many: For then we ſhould have more of your Writings, and ſome-

ſometimes enjoy your good Converſation; which is worth our being ſick on purpoſe for. And I am reſolved to put my ſelf ſometimes into my Bed, and ſend for you, ſince you have done coming to our Coffee Houſe.

But to leave this Subject now, I hear you ſay, that this Gentleman is in a perfect way of recovery; pray is he well enough to hear, without any prejudice to his convaleſcence, a Reprehenſion I have to make him?

Doct. Yes, yes; you may ſay what you will to him, for your Repremands will rather divert than trouble him, and prove more a Cordial than a Corroſive.

Eng. Gent. Then, Sir, pray conſider what ſatisfaction you can ever make me, for the hard meaſure you have uſed towards me, in letting me learn from common Fame and Fortune, the news of your Sickneſs, and that not till your recovery; and for depriving me of the opportunity of paying the debt I owe to your own merit, and to the recommendation of thoſe worthy Perſons in *Italy*, who did me the honour to addreſs you to me. And this injury is much aggravated by

the ſplendour of your Condition, and greatneſs of your Fortune, which makes it impoſſible for me ever to hope for any other occaſion to expreſs my faithful ſervice to you, or ſatisfie any part of the duty I have to be at your devotion. To be ſick in a ſtrange Country, and to diſtruſt the ſincerity and obedience of——

Noble Ven. Pray, Sir, give me leave to interrupt you, and to aſſure you, that it was not any diſtruſt of your goodneſs to me, of which I have had ſufficient experience; nor any inſenſibleneſs how much your care might advantage me; much leſs any ſcruple I had of being more in your debt; which if it had been poſſible for me to entertain, it muſt have been thought of long ſince, before I had received thoſe great Obligations, which I never made any difficulty to accept of. It was not, I ſay, any of theſe Conſiderations, which hindred me from advertiſing you of my Diſtemper; but the Condition and Nature of it, which in a moment depriv'd me of the exerciſe of thoſe Faculties which might give me a Capacity of helping my ſelf in any thing.

But

But otherwiſe I aſſure you that no day of my Life ſhall paſs, wherein I will not expreſs a ſence of your Favours, and———

Doct. Pray now, Sir, permit me to interrupt you; for this Gentleman, I dare ſay, looks for no Compliments; but that which I have to ſay, is; That the deſire you ſignified to me, to give you ſome account of our Affairs here, and the turbulency of our preſent State, will be much better placed, if you pleaſe to addreſs it to this Gentleman whoſe Parts and Studies have fitted him for ſuch an Employment; beſides his having had a great ſhare in the managing Affairs of State here, in other times: And really no man underſtands the Government of *England* better than he.

Eng. Gent. Now, Doctor, I ſhould tell you, *i pari miei ſi coglionono*, for ſo you your ſelf have baptized this kind of Civility: But however, this is a Province that I cannot be reaſonably preſt to take upon me, whileſt you are preſent, who are very well known to be as skillful in the Nature and Diſtemper of the Body Politick, as the whole Nati-

Nation confeſſes you to be in the concerns of the Natural. And you would have good ſtore of Practice in your former Capacity, if the wiſe Cuſtom amongſt the ancient *Geeeks* were not totally out of uſe. For they, when they found any crazineſs or indiſpoſition in their ſeveral Governments, before it broke out into a Diſeaſe, did repair to the Phyſicians of State (who, from their Profeſſion, were called the Seven Wiſe Men of *Greece*) and obtained from them ſome good *Recipes* to prevent thoſe ſeeds of diſtemper from taking root, and deſtroying the publick Peace. But in our days, theſe Signs or Forerunners of Diſeaſes in State are not foreſeen, till the whole Maſs is corrupted, and that the Patient is incurable, but by violent Remedies. And if we could have perceived the firſt Symptoms of our Diſtemper, and uſed good Alteratives, the curioſity of this worthy Gentleman had been ſpared, as alſo his command to you, to give him ſome light into our matters; and we unfortunate *Engliſh-men* had repoſed in that quiet, eaſe, and ſecurity, which we enjoy'd three hundred years ſince.

ſince. But let us leave the conteſt who ſhall inform this Gentleman, leſt we ſpend the time we ſhould do it in unprofitably, and let each of us take his part; for if we ſpeak all, it will look like a ſtudied diſcourſe fitted for the Preſs, and not a familliar Dialogue. For it ought to be in private Converſation, as it was originally in the planting the Goſpel, when there were two ſorts of preaching; the one Concionary, which was uſed by the Apoſtles and other Miſſionaries, when they ſpoke to thoſe who had never heard of the Myſteries of Chriſtian Religion, poſſibly not ſo much as of the Jewiſh Law, or the Hiſtory of Chriſt. The duty of thoſe was to hear, and not reply, or any way interrupt the harrangue: But when the Believers (called the Church) aſſembled together, it was the Cuſtom of ſuch of the Auditors, to whom any thing occurred, or (as *S. Paul* calls it) was revealed, to interpoſe and deſire to be heard, which was called an Interlocutory Preaching, or Religious Converſation; and ſerved very much to the inſtructing and edifying thoſe who had long believed in Chriſt, and poſſibly knew

knew as much of him as their Paſtor himſelf; and this is uſed ſtill amongſt many of our Independent Congregations.

Doct. I have (beſides the reaſon I alledged before, and which I ſtill inſiſt upon) ſome other cauſe to beg that you will pleaſe to give your ſelf the trouble of anſwering this Gentleman's Queries; which is, that I am very defective in my Expreſſions in the *Italian* Language; which though I underſtand perfectly, and ſo comprehend all that either of you deliver, yet I find not words at hand to ſignifie my own meaning, and am therefore neceſſitated to deliver my ſelf in Latin, as you ſee. And I fear that our pronunciation being ſo different from that which is uſed in *Italy*, this worthy perſon may not ſo eaſily comprehend what I intend, and ſo be diſappointed in the deſire he hath to be perfectly inſtructed in our Affairs.

Noble Ven. Really, Sir, that is not all; for beſides that, I confeſs your pronunciation of the Latin Tongue to be very new to me, and for that reaſon I have been forced to be troubleſome to you, in making you repeat things twice, or thrice.

thrice. I ſay beſides that your Latinity, as your Writings ſhew, and all the world knows, is very pure and elegant, which it is notorious to all, that we in *Italy* ſcarce underſtand; Gentlemen there never learning more Latin, than what is neceſſary to call for Meat and Drink, in *Germany* or *Holland*, where moſt of the Hoſts ſpeak a certain *Franck*, compounded of *Dutch*, *Latin*, and *Italian*. And though ſome of us have *Latin* enough to underſtand a good Author, (as you have of our Language) yet we ſeldom arrive to ſpeak any better than this *Franck*, or can without ſtudy comprehend good *Latin*, when we meet with it in diſcourſe. And therefore it is your perfection in that Tongue, and my ignorance in it, that makes me concur with you, in deſiring this Gentleman, to take the pains of inſtructing my Curioſity in *Italian*.

Eng. Gent. I ſhall obey you in this, and all things elſe, upon this condition, that both you and the Doctor will vouchſafe to interrogate me, and by that means give me the Method of ſerving you in this: And then that you will both

pleaſe

pleaſe to interrupt and contradict me, when you think I ſay any thing amiſs, or that either of you are of a different Opinion, and to give me a good occaſion of explaining myſelf, and poſſibly of being convinced by you, which I ſhall eaſily confeſs; for I hate nothing more than to hear diſputes amongſt Gentlemen, and men of ſence, wherein the Speakers ſeem (like Sophiſters in a College) to diſpute rather for Victory, than to diſcover and find out the Truth.

Doct. Well, all this I believe will be granted you; ſo that we have nothing to do now, but to adjourn, and name a time when to meet again. Which I, being this Gentlemans Phyſician, will take upon me to appoint, and it ſhall be to morrow morning about nine of the Clock, after he has ſlept well, as I hope he will, by means of a Cordial I intend to ſend him immediately. In the mean time, not to weary him too much, we will take our leaves of him for this Night.

Noble Ven. I ſhall expect your return with great impatience, and if your Cordial be not very potent, I believe the deſire

ſire of ſeeing you will make me wake much ſooner than the hour you appoint. And I am very confident, that my mind aſwell as my body, will be ſufficiently improved by ſuch Viſits. It begins to be darkiſh, Boy light your Torch, and wait on theſe Gentlemen down.

Both. Sir, we wiſh you all good reſt and health.

Noble Ven. And I, with a thouſand thanks, the like to you.

The SECOND DAY.

Doct. WEll, Sir, how is it? Have you reſted well to Night? I fear we come too early.

Noble Ven. Dear Doctor, I find my ſelf very well, thanks to your Care and Skill, and have been up above theſe two hours, in expectation of the favour you and this Gentleman promiſt me.

Doct. Well, then pray let us leave off Compliments and Repartees, of which we had a great deal too much yeſterday, and fall to our buſineſs, and be pleas'd to interrogate this Gentleman what you think fit.

Noble Ven.

Noble Ven. Then, Sir, my first request to you, is, That you will vouchsafe to acquaint me for what Reasons this Nation, which hath ever been esteemed (and very justly) one of the most considerable People of the World, and made the best Figure both in Peace, Treaties, War, and Trade, is now of so small regard, and signifies so little abroad? Pardon the freedom I take, for I assure you it is not out of disrespect, much less of contempt that I speak it: For since I arrived in *England*, I find it one of the most flourishing Kingdoms in *Europe*, full of splendid Nobility and Gentry; the comliest persons alive, Valiant, Courteous, Knowing and Bountiful; and as well stored with Commoners, Honest, Industrious, fitted for Business, Merchandise, Arts, or Arms; as their several Educations lead them. Those who apply themselves to study, prodigious for Learning, and succeeding to admiration in the perfection of all Sciences: All this makes the Riddle impossible to be solved; but by some skillfull *Sphinx*, such as you are; whose pains I will yet so far spare, as to acknowledge, that I do in that little time I have spent

ſpent here, perceive that the immediate cauſe of all this, is the Diſ-union of the People and the Governours; the Diſcontentment of the Gentry, and Turbulency of the Commonalty; although without all Violence or Tumult, which is Miraculous. So that what I now requeſt of you, is, That you will pleaſe to deduce particularly to me, the Cauſes of this Diviſion, that when they are laid open, I may proceed (if you think fit to permit it) from the Diſeaſe, when known, to enquire out the Remedies.

Eng.Gent. Before I come to make you any Anſwer, I muſt thank you for the Worthy and Honourable Character you give of our Nation, and ſhall add to it, That I do verily believe, that there are not a more Loyal and Faithful People to their Prince in the whole World, than ours are; nor that fear more to fall into that ſtate of Confuſion, in which we were twenty years ſince; and that, not only this Parliament, which conſiſts of the moſt Eminent Men of the Kingdom, both for Eſtates and Parts; but all the Inhabitants of this Iſle in general; even

those (so many of them as have their understandings yet entire) which were of the Anti-royal Party, in our late Troubles, have all of them the greatest horrour imaginable, to think of doing any thing, that may bring this poor Country into those Dangers and Uncertainties, which then did threaten our Ruin; and the rather for this Consideration; that neither the Wisdom of some, who were engaged in those Affairs, which I must aver to have been very great, nor the success of their Contest, which ended in an absolute Victory, could prevail, so as to give this Kingdom any advantage; nay, not so much as any settlement, in Satisfaction and Requital of all the Blood it had lost, Money it had spent, and Hazzard it had run. A clear Argument why we must totally exclude a Civil War from being any of the Remedies, when we come to that point. I must add further, That as we have as loyal Subjects as are any where to be found, so we have as gracious and good a Prince: I never having yet heard that he did, or attempted to do any the least Act of Arbitrary Power in any publick Concern; nor did eve

take

take, or endeavour to take from any particular perſon the benefit of the Law. And for his only Brother (although accidentally he cannot be denyed to be a great motive of the Peoples unquietneſs) all men muſt acknowledge him to be a moſt Glorious and Honourable Prince; one who has expoſed his Life ſeveral times for the Safety and Glory of this Nation; one who pays juſtly and punctually his Debts, and manages his own Fortune diſcreetly; and yet keeps the beſt Court and Equipage of any Subject in Chriſtendom; is Courteous and Affable to all; and in fine, has nothing in his whole Conduct to be excepted againſt, much leſs dreaded; excepting, that he is believed to be of a Religion contrary to the Honour of God, and the Safety and Intereſt of this People, which gives them juſt Apprehenſions of their Future Condition: But of this matter, we ſhall have occaſion to Speculate hereafter; in the mean time, ſince we have ſuch a Prince, and ſuch Subjects, we muſt needs want the ordinary cauſe of Diſtruſt and Diviſion, and therefore muſt ſeek higher to find out the O-

riginal of this turbulent posture we are in.

Doct. Truly you had need seek higher or lower to satisfie us, for hitherto you have but enforced the Gentleman's Question, and made us more admire what the Solution will be.

Eng. Gent. Gentlemen, then I shall delay you no longer: The Evil Counsellors, the Pensioner-Parliament, the Thorow-pac'd Judges, the Flattering Divines, the Busie and Designing Papists, the *French* Counsels, are not the Causes of our Misfortunes, they are but the Effects (as our present Distractions are) of one Primary Cause; which is the Breach and Ruin of our Government; which having been decaying for near two hundred years, is in our Age brought so near to Expiration, that it lyes agonizing, and can no longer perform the Functions of a Political Life, nor carry on the work of Ordering and Preserving Mankind: So that the Shifts that our Courtiers have within some years used, are but so many Tricks, or Conclusions which they are trying to hold Life and Soul together a while longer; and have played

Handy

Handy-Dandy with Parliaments, and especially with the House of Commons, (the only part which is now left entire of the old Constitution) by Adjourning, and Proroguing, and Dissolving them (contrary to the true meaning of the Law) as well in the Reign of our late King, as during his Majesties that now is. Whereas indeed our Counsellors (perceiving the decay of the Foundation, as they must, if they can see but one Inch into the Politicks) ought to have Addrest themselves to the King to call a Parliament, the true Physician, and to lay open the Distemper there, and so have endeavour'd a Cure, before it had been too late, as I fear it now is: I mean the pieceing and patching up the Old Government. It is true, as the Divine *Machiavil* says, That Diseases in Government are like a *Marasmus* in the Body Natural, which is very hard to be discovered whilest it is Curable; and after it comes to be easie to discern, difficult if not impossible to be Remedy'd; yet it is to be supposed that the Counsellors are, or ought to be skillful Physicians, and to foresee the Seeds of State-Distempers,

time enough to prevent the Death of the Patient; else they ought in Conscience to excuse themselves from that sublime Employment, and betake themselves to Callings more suitable to their Capacities. So that although for this Reason the Ministers of State here are inexcusable, and deserve all the Fury which must one time or other be let loose against them, (except they shall suddenly fly from the wrath to come, by finding out in time, and advising the true means of setting things to rights) yet neither Prince nor People are in the mean time to be blamed for not being able to Conduct things better. No more than the Waggoner is to answer for his ill guiding, or the Oxen for their ill drawing the Waggon, when it is with Age and ill Usage broken, and the Wheels unserviceable: Or the Pilot and Marriners, for not weathering out a Storm, when the Ship hath sprung a planck. And as in the Body of Man, sometimes the Head and all the Members are in good Order, nay, the Vital Parts are sound and entire; yet if there be a Considerable Putrifaction in the humours, much

much more, if the Blood (which the Scripture calls the Life) be Impure and Corrupted; the Patient ceaſes not to be in great Danger, and oftentimes dies without ſome skillful Phyſician: And in the mean time the Head and all the parts ſuffer, and are unquiet, full as much, as if they were all immediately affected. So it is in every reſpect with the Body Politick, or Common-Wealth, when their Foundations are moulder'd: And although in both theſe Caſes, the Patients cannot, though the Diſtemper be in their own Bodies, know what they ail, but are forced to ſend for ſome Artiſt to tell them; yet they ceaſe not to be extreamly uneaſie and impatient, and lay hold often times upon unſuitable Remedies, and impute their Malady to wrong and ridiculous Cauſes. As ſome people do here, who think that the growth of Popery is our only Evil, and that if we were ſecure againſt that, our Peace and Settlement were obtain'd, and that our Diſeaſe needed no other Cure. But of this more when we come to the Cure.

Noble Ven. Againſt this Diſcourſe, certainly we have nothing to reply: but

muſt grant, that when any Govern-ment is decay'd, it muſt be mended, or all will Ruine. But now we muſt Re-queſt you to declare to us, how the Go-vernment of *England* is decay'd, and how it comes to be ſo. For Iam one of thoſe Un-skilful Perſons, that cannot diſcern a State *Maraſmus*, when the danger is ſo far off.

Eng. Gent. Then no man living can; for your Government is this day the on-ly School in the World, that breeds ſuch Phyſicians, and you are eſteemed one of the ableſt amongſt them: And it would be manifeſt to all the World for Truth; although there were no Argument for it, but the admirable Stability and Dura-bleneſs of your Government, which hath laſted above twelve hundred years entire and perfect; whileſt all the reſt of the Countreys in *Europe*, have not only changed Maſters very frequently in a quarter of that time, but have vari-ed and altered their Polities very often. Which manifeſts that you muſt needs have ever enjoy'd a Succeſſion of wiſe Ci-tizens, that have had Skill and Ability to forwarn you betimes of thoſe Rocks a-gainſt which your excellent-built Veſſel might in time ſplit.

Noble Ven. Sir, you over-value, not only me, but the Wisdom of my Fellow Citizens; for we have none of these high Speculations, nor hath scarce any of our Body read *Aristotle*, *Plato*, or *Cicero*, or any of those great Artists, Ancient or Modern, who teach that great Science of the Governing and Intreasing great States and Cities; without studying which Science no man can be fit to discourse pertinently of these matters; much less to found or mend a Government, or so much as find the defects of it. We only study our own Government, and that too chiefly to be fit for advantagious Employments, rather than to foresee our dangers. Which yet I must needs confess some amongst us are pretty good at, and will in a Harangue made upon passing a Law, venture to tell us what will be the Consequence of it two hundred years hence. But of these things I shall be very prodigal in my discourse, when you have Leisure and Patience to command me to say any thing of our Polity; in the mean time pray be pleased to go on with your Edifying Instruction.

Eng. Gent.

must grant, that when any Government is decay'd, it must be mended, or all will Ruine. But now we must Request you to declare to us, how the Government of *England* is decay'd, and how it comes to be so. For I am one of those Unskilful Persons, that cannot discern a State *Marasmus*, when the danger is so far off.

Eng. Gent. Then no man living can; for your Government is this day the only School in the World, that breeds such Physicians, and you are esteemed one of the ablest amongst them: And it would be manifest to all the World for Truth; although there were no Argument for it, but the admirable Stability and Durableness of your Government, which hath lasted above twelve hundred years entire and perfect; whilest all the rest of the Countreys in *Europe*, have not only changed Masters very frequently in a quarter of that time, but have varied and altered their Polities very often. Which manifests that you must needs have ever enjoy'd a Succession of wise Citizens, that have had Skill and Ability to forwarn you betimes of those Rocks against which your excellent-built Vessel might in time split. *Noble Ven.*

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Eng. Gent.

Eng. Gent. Before I can tell you how the Government of *England* came to be decayed, I muſt tell you what that Government was, and what it now is: And I ſhould ſay ſomething too of Government in General, but that I am afraid of talking of that Subject, before you who are ſo exact a Judge of it.

Noble Ven. I thought you had been pleaſed to have done with this Diſcourſe, I aſſure you, Sir, if I had more skill in that matter than ever I can pretend to, it would but ſerve to make me the fitter Auditor of what you ſhall ſay on that Subject.

Eng. Gent. Sir, in the Courſe of my Reaſoning upon this Point, I ſhall have occaſion to inſiſt and expatiate upon many things, which both my ſelf and others have Publiſh'd in former times. For which I will only make this excuſe, that the Repetition of ſuch matters is the more pardonable, becauſe they will be at leaſt new to you, who are a ſtranger to our Affairs and Writings. And the rather becauſe thoſe diſcourſes ſhall be apply'd to our preſent condition, and ſuited to our preſent occaſions. But I will ſay no more but obey you, and proceed. I will not take upon

upon me to say, or so much as Conjecture, how and when Government began in the World, or what Government is most Ancient: History must needs be silent in that point, for that Government is more Ancient than History. And there was never any Writer, but was bred under some Government, which is necessarily supposed to be the Parent of all Arts and Sciences, and to have produced them. And therefore it would be as hard for a man to Write an account of the beginning of the Laws and Polity of any Country, except there were memory of it, (which cannot be before the first Historiographer) as it would be to any person without Records to tell the particular History of his own Birth.

Doct. Sir, I cannot comprehend you, may not Historians Write a History of Matters done before they were born? If it were so, no man could Write but of his own times.

Eng. Gent. My meaning is, Where there are not Stories, or Records, extant; for as for Oral Tradition, it lasts but for one Age, and then degenerates into

into Fable: I call any thing in Writing, whereby the account of the Paſſages or Occurrences of former times is derived to our knowledge, a Hiſtory, although it be not pend Methodically, ſo as to make the Author paſs for a Wit: And had rather read the Authentick Records of any Country, that is a Collection of their Laws and Letters concerning Tranſactions of State, and the like, than the moſt Eloquent and Judicious Narrative that can be made.

Noble Ven. Methings, Sir, your diſcourſe ſeems to imply, that we have no account extant of the beginning of Governments; pray what do you think of the Books of *Moſes*, which ſeem to be pend on purpoſe to inform us how he, by Gods Command, led that People out of *Egypt* into another Land, and in the way made them a Government? Beſides, does not *Plutarch* tells us, how *Theſeus* gathered together the diſperſed Inhabitants of *Attica*, brought them into one City, and under one Government of his own making? The like did *Romulus* in *Italy*, and many others in divers Countries.

Eng. Gent.

Eng. Gent. I never said that we had not sufficient knowledge of the Original of particular Governments; but it is evident, that these great Legislators had seen, and lived under other Administrations, and had the help of Learned Law-givers and Philosophers, excepting the first who had the Aid of God himself. So that it remains undiscovered yet, how the first Regulation of Man kind began: And therefore I will take for granted that which all the Politicians conclude: Which is, That Necessity made the first Government. For every man by the first Law of Nature (which is common to us and brutes) had, like Beasts in a Pasture, right to every thing, and there being no Property, each Individual, if he were the stronger, might seize whatever any other had possessed himself of before, which made a State of perpetual War. To Remedy which, and the fear that nothing should be long enjoyed by any particular person (neither was any mans Life in safety) every man consented to be debar'd of that Universal Right to all things, and confine himself to a quiet and secure enjoyment of such a part as should

ſhould be allotted him: Thence came in Ownerſhip, or Property; to maintain which it was neceſſary to conſent to Laws, and a Government to put them in Execution. Which of the Governments now extant, or that have been formerly, was firſt, is not poſſible now to be known; but I think this muſt be taken for granted, that whatſoever the Frame or Conſtitution was firſt, it was made by the Perſwaſion and Mediation of ſome Wiſe and Vertuous Perſon, and conſented to by the whole Number. And then, that it was inſtituted for the good and preſervation of the Governed, and not for the Exaltation and Greatneſs of the Perſon or Perſons appointed to Govern: The Reaſon why I beg this Conceſſion is, That it ſeems very improbable, not to ſay impoſſible, that a vaſt number of people ſhould ever be brought to conſent to put themſelves under the Power of others, but for the ends above ſaid, and ſo loſe their Liberty without advantaging themſelves in any thing. And it is full as impoſſible that any perſon (or perſons ſo inconſiderable in number as Magiſtrates and Rulers are) ſhould by force get an Empire

to

to themſelves. Though I am not ignorant that a whole people have in imminent Dangers, either from the Invaſion of a powerful Enemy, or from Civil Diſtractions, put themſelves wholly into the hands of one Illuſtrious Perſon for a time, and that with good Succeſs, under the beſt forms of Government: But this is nothing to the Original of States.

Noble Ven. Sir, I wonder how you come to paſs over the Conſideration of Paternal Government, which is held to have been the beginning of Monarchies?

Eng. Gent. Really I did not think it worth the taking notice of, for though it be not eaſie to prove a Negative, yet I believe if we could trace all Foundations of Polities that now are, or ever came to our knowledge ſince the World began; we ſhall find none of them to have deſcended from Paternal Power; we know nothing of *Adam's* leaving the Empire to *Cain*, or *Seth*: It was impoſſible for *Noah* to retain any Juriſdiction over his own three Sons; who were diſperſed into three parts of the World, if our Antiquaries Calculate right; and as for *Abraham*, whilſt he

he lived, as also his Son *Isaac*, they were but ordinary Fathers of Families, and no question governed their own Houshold as all others do; but when *Jacob* upon his Death-bed did relate to his Children, the Promise Almighty God had made his Grandfather, to make him a great Nation, and give his Posterity a fruitful Territory, he speaks not one word of the Empire of *Reuben* his first born, but supposes them all equal: And so they were taken to be by *Moses*, when he divided the Land to them by Lot; and by Gods command made them a *Common-Wealth*. So that I believe this fancy to have been first started, not by the solid Judgement of any man, but to flatter some Prince, and to assert, for want of better Arguments, the *jus Divinum* of Monarchy.

Noble Ven. I have been impertinent in interrupting you, but yet now I cannot repent of it, since your Answer hath given me so much satisfaction; but if it be so as you say, that Government was at first Instituted for the Interest and Preservation of Mankind, how comes it to pass, That there are and have been so many absolute Monarchies in the World, in which it

it seems that nothing is provided for, but the Greatness and Power of the Prince.

Eng. Gent. I have presumed to give you already my Reason, why I take for granted, that such a Power could never be given by the Consent of any People, for a perpetuity; for though the People of *Israel* did against the Will of *Samuel*, and indeed of God himself demand, and afterwards chuse themselves a King; yet he was never such a King as we speak of; for that all the Orders of their Common wealth the Sanhedrim, the Congregation of the People, the Princes of the Tribes, &c. did still remain in being, as hath been excellently proved by a learned Gentleman of our Nation, to whom I refer you; it may then be enquired into, how these Monarchies at first did arise. History being in this point silent, as to the Ancient Principalities, we will Conjecture, that some of them might very well proceed from the Corruption of better Governments, which must necessarily cause a Depravation in manners (as nothing is more certain than that Politick defects breed Moral ones, as our Nation is a pregnant Example) this De-

bauchery of manners might blind the underſtandings of a great many, deſtroy the Fortunes of others, and make them indigent, infuſe into very many a neglect and careleſneſs of the publick good (which in all ſetled States is very much regarded) ſo that it might eaſily come into the Ambition of ſome bold aſpiring Perſon to affect Empire, and as eaſily into his Power, by fair pretences with ſome, and promiſes of advantages with others, to procure Followers, and gain a numerous Party, either to Uſurp Tyranny over his own Country, or to lead men forth to Conquer and Subdue another. Thus it is ſuppoſed that *Nimrod* got his Kingdom; who in Scripture is called a Great Hunter before God, which Expoſiters interpret, A great Tyrant. The Modern Deſpotical Powers have been acquired by one of theſe two ways, either by pretending by the firſt Founder thereof, that he had a Divine Miſſion and ſo gaining not only Followers, but even eaſie Acceſs in ſome places without Force to Empire, and afterwards dilating their Power by great Conqueſts Thus *Mahomet* and *Cingis Can* began, and eſtabliſh

eſtabliſhed the *Sarazen* and *Tartarian* Kingdoms; or by a long Series of Wiſdom in a Prince, or chief Magiſtrate of a mixt Monarchy, and his Council, who by reaſon of the Sleepineſs and Inadvertency of the People, have been able to extinguiſh the great Nobility, or render them Inconſiderable; and ſo by degrees taking away from the People their Protectors, render them Slaves. So the Monarchies of *France*, and ſome other Countries, have grown to what they are at this day; there being left but a Shaddow of the three States in any of theſe Monarchies, and ſo no bounds remaining to the Regal Power; but ſince Property remains ſtill to the Subjects, theſe Governments may be ſaid to be changed, but not founded or eſtabliſhed; for there is no Maxim more Infallible and Holding in any Science, than this is in the Politicks, *That Empire is founded in Property:* Force or Fraud may alter a Government; but it is Property that muſt Found and Eterniſe it: Upon this undenyable *Aphoriſme* we are to build moſt of our ſubſequent Reaſoning, in the mean time we may ſuppoſe, that

hereafter the great power of the *King* of *France* may diminish much, when his enraged and oppressed Subjects come to be commanded by a Prince of less Courage, Wisdom, and Military Vertue, when it will be very hard for any such King to Govern Tyrannically a Country which is not entirely his own.

Doct. Pray, Sir, give me leave to ask you by the way, what is the Reason that here in our Country, where the Peerage is lessened sufficiently, the King has not gotten as great an Addition of Power as accrews to the Crown in *France*?

Eng. Gent. You will understand that, Doctor, before I have finisht this discourse; but to stay your Stomach till then, you may please to know that in *France* the greatness of the Nobility which has been lately taken from them, did not consist in vast Riches and Revenues, but in great Priviledges, and Jurisdictions, which obliged the People to obey them; whereas our great Peers in former times had not only the same great Dependences, but very Considerable Revenues besides, in Demesnes, and other

therwiſe: This Vaſſallage over the People, which the Peers of *France* had, being aboliſht, the Power over thoſe Tenants, which before was in their Lords, fell naturally and of courſe into the Crown, although the Lands and Poſſeſſions diveſted of thoſe Dependences did and do ſtill remain to the Owners; whereas here in *England*, though the Services are for the moſt part worn out, and inſignificant; yet for want of Providence and Policy in former Kings. who could not foreſee the danger a-far off, Entails have been ſuffered to be cut off; and ſo two parts in ten of all thoſe vaſt Eſtates, as well Mannours as Demeſnes, by the Luxury and Folly of the Owners, have been within theſe two hundred years purchaſed by the leſſer Gentry and the Commons; which has been ſo far from advantaging the Crown, that it has made the Country ſcarce governable by Monarchy: But if you pleaſe, I will go on with my diſcourſe about Government, and come to this again hereafter?

Noble Ven. I beſeech you, Sir, do.

Eng. Gent. I cannot find by the ſmall

reading I have, that there were any other Governments in the World Anciently than these three, *Monarchy*, *Aristocracy*, and *Democracy*. For the first, I have no light out of Antiquity to convince me, that there were in old time any other *Monarchies*, but such as were absolutely *Despotical*; all Kingdoms then, as well in *Greece* (as *Macedon*, *Epirus*, and the like; and where it is said, the Princes exercised their Power moderately) as in *Asia*, being altogether unlimited by any Laws, or any Assemblies of Nobility or People. Yet I must confess, *Aristotle*, when he reckons up the Corruptions of these three Governments, calls Tyranny the Corruption of Monarchy; which if he means a Change of Government, (as it is in the Corruptions of the other two) then it must follow, that the Philosopher knew of some other Monarchy at the first, which afterwards degenerated into Tyranny, that is, into Arbitrary Power; for so the Word Tyranny is most commonly taken, though in modern Languages it signifies the ill Exercise of Power; for certainly Arbitrary Government cannot be called Tyranny; where the whole

whole Property is in the Prince (as we reasonably suppose it to have been in those Monarchies) no more than it is Tyranny for you to govern your own House and Estate as you please: But it is possible *Aristotle* might not in this speak so according to Terms of Art, but might mean, that the ill Government of a Kingdom or Family is Tyranny. However we have one Example, that puzzles Politicians, and that is *Egypt*, where *Pharaoh* is called King; and yet we see, that till *Joseph*'s time he had not the whole Property; for the Wisdom of that Patriarch taught his Master a way to make a new use of that Famine, by telling him, that if they would buy their Lives, and sell their Estates (as they did afterwards, and preserve themselves by the Kings Bread) they shall serve *Pharaoh*; which shews that *Joseph* knew well, that *Empire was founded in Property*: But most of the Modern Writers in Polity, are of Opinion, that *Egypt* was not a Monarchy till then, though the Prince might have the Title of King, as the *Heraclides* had in *Sparta*, and *Romulus* and the other Kings had in *Rome*; both which *States* were Institu-

ted *Common-Wealths*. They give good Conjectures for this their Opinion, too many to be here mentioned; only one is, That Originally (as they go about to prove) all Arts and Sciences had their Riſe in *Egypt*, which they think very improbable to have been under a Monarchy. But this Poſition, That all Kings in former times were abſolute, is not ſo Eſſential to the intent I have in this Diſcourſe, which is to prove, That in all States, of what kind ſoever, this Aphoriſme takes place: *Imperium fundatur in Dominio.* So that if there were mixed Monarchies, then the King had not all the Property; but thoſe who ſhared with him in the Adminiſtration of the Soveraignty, had their part, whether it were the Senate, the People, or both; or if he had no Companions in the Soveraign Power, he had no Sharers likewiſe in the Dominion or Poſſeſſion of the Land. For that is all we mean by Property, in all this Diſcourſe; for as for Perſonal Eſtate, the Subjects may enjoy it in the largeſt Proportion, without being able to invade the Empire: The Prince may when he pleaſes take away

their

their Goods, by his Tenants and Vaſſals (without an Army) which are his Ordinary Force, and anſwers to our *Poſſe Comitatus*. But the Subjects with their Money cannot invade his Crown. So that all the Deſcription we need make of this Kind or Form of Government, is, That the whole poſſeſſion of the Country, and the whole power lies in the Hands and Breaſt of one man; he can make Laws, break and repeal them when he pleaſes, or diſpenſe with them in the mean time when he thinks fit; interpoſe in all Judicatories, in behalf of his Favourites, take away any particular mans perſonal Eſtate, and his Life too, without the formality of a Criminal Proceſs, or Trial; ſend a Dagger, or a Halter to his chief Miniſters, and command them to make themſelves away; and in fine, do all that his Will or his Intereſt ſuggeſts to him.

Doct. You have dwelt long here upon an Argumentation, That the Ancients had no Monarchies, but what were Arbitrary.

Eng. Gent. Pray give me leave to ſave your Objections to that point, and to aſſure you firſt, That I will not take upon

upon me to be so positive in that; for that I cannot pretend to have read all the Historians and Antiquaries that ever Writ; nor have I so perfect a memory as to remember, or make use of, in a Verbal and Transient Reasoning, all that I have ever read: And then to assure you again, that I build nothing upon that Assertion, and so your Objection will be needless, and only take up time.

Doct. You mistake me, I had no intent to use any Argument or Example against your Opinion in that; but am very willing to believe that it may be so. What I was going to say was this, that you have insisted much upon the point of Monarchy, and made a strange description of it, whereas many of the Ancients, and almost all the Modern Writers, magnifie it to be the best of Governments.

Eng. Gent. I have said nothing to the contrary. I have told you *de facto* what it is, which I believe none will deny. The Philosophers said it was the best Government; but with this restriction, *ubi Philosophi regnant*, and they had an Example

Example of it, in ſome few *Roman* Emperours; but in the moſt turbulent times of the Common-wealth, and Factions between the Nobility and the People, *Rome* was much more full of Vertuous and Heroick Citizens, then ever it was under *Aurelius*, or *Antoninus:* For the Moderns that are of that Judgement, they are moſt of them Divines, not Politicians, and ſomething may be ſaid in their behalf, when by their good Preaching, they can infuſe into their imaginary Prince (who ſeems already to have an Image of the Power of God) the Juſtice, Wiſdom, and Goodneſs too of the Deity.

Noble Ven. We are well ſatisfied with the Progreſs you have hitherto made in this matter; pray go on to the two other Forms uſed amongſt the Ancients, and their Corruptions, that ſo we may come to the Modern Governments, and ſee how *England* ſtands, and how it came to decay, and what muſt Rebuild it.

Eng. Gent. You have very good Reaſon to haſten me to that; for indeed, all that has been ſaid yet, is but as it were

a Preliminary diſcourſe to the knowledge of the Government of *England*, and its decay: when it comes to the Cure, I hope you will both help me, for both your ſelf and the Doctor are a thouſand times better than I at Remedies. But I ſhall diſpatch the other two Governments. *Ariſtocracy*, or *Optimacy*, is a Common-wealth, where the better ſort, that is, the Eminent and Rich men, have the chief Adminiſtration of the Government: I ſay, the chief, becauſe there are very few ancient *Optimacies*, but the People had ſome ſhare, as in *Sparta*, where they had power to Vote, but not Debate; for ſo the Oracle of *Apollo*, brought by *Lycurgus* from *Delphos*, ſettles it; But the truth is, theſe people were the natural *Spartans*. For *Lycurgus* divided the Country or Territory of *Laconia* into 39000 Shares; whereof Nine thouſand only of theſe Owners were Inhabitants of *Sparta*; the reſt lived in the Country: ſo that although *Thucidides* call it an Ariſtocracy, and ſo I follow him, yet it was none of thoſe Ariſtocracies uſually deſcribed by the Politicians, where the Lands of the Territory were in a great deal fewer Hands.

Hands. But call it what you will, where ever there was an Ariſtocracy, there the Property, or very much the Over-ballance of it, was in the hands of the *Ariſtoi*, or Governours, be they more or fewer; for if the People have the greateſt intereſt in the Property, they will, and muſt have it in the Empire: A notable example of it is *Rome*, the beſt and moſt glorious Government that ever the Sun ſaw; where the Lands being equally divided amongſt the Tribes, that is the people; it was impoſſible for the *Patricii* to keep them quiet, till they yielded to their deſires, not only to have their *Tribunes*, to ſee that nothing paſſed into a Law without their conſent, but alſo to have it declared, that both the *Conſuls* ſhould not only be choſen by the people (as they ever were, and the Kings too before them) but that they might be elected too, when the people pleaſed, out of *Plebeian* Families. So that now I am come to *Democracy*. Which you ſee is a Government where the chief part of the Soveraign Power, and the exerciſe of it, reſides in the *People*; and where the Style is, *Juſſu populi au-*

thoritate

thoritate patrum. And it doth consist of three fundamental Orders. The Senate proposing, the People resolving, and the Magistrates executing. This Goverment is much more Powerful than an *Aristocracy*, because the latter cannot arm the People, for fear they should seize upon the Government, and therefore are fain to make use of none but Strangers and Mercinaries for Souldiers; which, as the Divine *Machiavil* says, has hindred your Common-wealth of *Venice* from mounting up to Heaven, whither those incomparable Orders, and that venerable Wisdom used by your Citizens in keeping to them, would have carried you, if in all your Wars you had not been ill served.

Doct. Well, Sir, pray let me ask you one thing concerning *Venice*: How do you make out your *Imperium fundatur in dominio* there? Have the Gentlemen there, who are the Party governing, the possession of the whole Territory? Does not property remain entire to the Gentlemen, and other Inhabitants in the several Countries of *Padua*, *Brescia*, *Vicenza*, *Verona*, *Bergamo*, *Creman*, *Trevisi*, and *Friuli*,

Friuli, as alſo in the *Ultramarine* Provinces, and *Iſlands*? And yet I believe you will not deny, but that the Government of *Venice* is as well founded, and hath been of as long continuance as any that now is, or ever was in the World.

Eng. Gent. Doctor, I ſhall not anſwer you in this, becauſe I am ſure it will be better done by this Gentleman, who is a worthy Son of that honourable Mother.

Noble Ven. I thought you had ſaid, Sir, that we ſhould have done Complimenting; but ſince you do Command me to clear the Objection made by our learned Doctor, I ſhall preſume to tell you, firſt how our City began. The *Goths*, *Huns*, and *Lombards* coming with all the Violence and Cruelty imaginable, to invade that part of *Italy* which we now call *Terra firma*, and where our Anceſtors did then inhabit, forced them in great numbers to ſeek a ſhelter amongſt a great many little Rocks, or *Iſlands*, which ſtood very thick in a vaſt Lake, or rather Marſh, which is made by the *Adriatique* Sea, we call it *Laguna*; here they began to build, and getting Boats,

Boats, made themſelves Proviſions of all kind from the Land; from whence innumerable people began to come to them, finding that they could ſubſiſt, and that the barbarous people had no Boats to attack them, nor that they could be invaded either by Horſe or Foot without them. Our firſt Government, and which lafted for many years, was no more than what is practiſed in many Country Pariſhes in *Italy*, and poſſibly here too, where the Clerk, or any other perſon, calls together the chief of the Inhabitants to conſider of Pariſh-buſineſs, as chuſing of Officers, making of Rates, and the like. So in *Venice*, when there was any publick proviſion to be made by way of Law, or otherwiſe, ſome Officers went about to perſons of the greateſt Wealth and Credit, to intreat them to meet and conſult; from whence our Senate is called to this day *Conſiglio de pregadi*, which in our Barbarous Idiom is as much as *Pregati* in *Tuſcan* Language: Our ſecurity increaſed dayly, and ſo by conſequence our Number and our Riches; for by this time there began to be another inundation of *Saracens* upon *A-*

ſia,

sia Minor, which forced a great many of the poor people of *Greece* to fly to us for protection, giving us the possession of some Islands, and other places upon the Continent: This opened us a Trade, and gave a beginning to our greatness; but chiefly made us consider what Government was fittest to conserve our selves, and keep our Wealth (for we did not then much dream of Conquests, else without doubt we must have made a popular Government) we pitcht upon an *Aristocracy*, by ordering that those who had been called to Council for that present year, and for four years before, should have the Government in their hands, and all their Posterity after them for ever; which made first the distinction between Gentlemen and Citizens; the people, who consisted of divers Nations, most of them newly come to inhabit there, and generally seeking nothing but safety and ease, willingly consented to this change, and so this *State* hath continued to this day; though the several Orders and Counsels have been brought in since, by degrees, as our Nobility encreased, and for other

cauſes. Uunder this Government we have made ſome Conqueſts in *Italy*, and *Greece*, for our City ſtood like a Wall between the two great Torrents of *Goths* and *Sarazens*; and as either of their Empires declin'd, it was eaſie for us, without being very Warlike, to pick up ſome pieces of each ſide; as for the Government of theſe Conqueſts, we did not think fit to divide the Land amongſt our Nobility, for fear of Envy, and the effects of it; much leſs did we think it adviſeable to plant Colonies of our People, which would have given the Power into their hands, but we thought it the beſt way for our Government to leave the people their Property, tax them what we thought fit, and keep them under by Governours and Citadels, and ſo in ſhort make them a Province. So that now the Doctors Riddle is ſolved; for I ſuppoſe this Gentleman did not mean that his Maxime ſhould reach to Provincial Governments.

Eng. Gent. No, Sir, ſo far from that, that it is juſt contrary; for as in National or Domeſtick Government, where a Nation is Governed either by its own people

people, or its own Prince, there can be no ſettled Government, except they have the Rule who poſſeſs the Country. So in Provincial Governments, if they be wiſely ordered, no man muſt have any the leaſt ſhare in the managing Affairs of State, but ſtrangers, or ſuch as have no ſhare or part in the poſſeſſions there, for elſe they will have a very good opportunity of ſhaking off their Yoak.

Doct. That is true; and we are ſo wiſe here (I mean our Anceſtors were) as to have made a Law, That no Native in *Ireland* can be *Deputy* there: But, Sir, being fully ſatisfied in my demand, by this Gentleman; I beſeech you to go on to what you have to ſay, before you come to *England*.

Eng. Gent. I ſhall then offer two things to your Obſervation; the firſt is, That in all times and places, where any great Heroes, or Legiſlators, have founded a Government, by gathering people together to build a City, or to invade any Countrey to poſſeſs it, before they came to dividing the conquered Lands, they did always very maturely deliberate un-

der what Form or Model of Government they meant to live, and accordingly made the Partition of the Poſſeſſions; *Moſes*, *Theſeus*, and *Romulus*, Founders of *Democracies*, divided the Land equally: *Licurgus* who meant an *Optimacy*, made a certain number of Shares, which he intended to be in the hands of the People of *Laconia*. *Cyrus*, and other conquering Monarchs before him, took all for themſelves and Succeſſors, which is obſerved in thoſe Eaſtern Countries to this day, and which has made thoſe Countries continue ever ſince under the ſame Government, though Conquered and poſſeſſed very often by ſeveral Nations: This brings me to the ſecond thing to be obſerved, which is, *That wherever this apportionment of Lands came to be changed in any kind, the Government either changed with it, or was wholly in a ſtate of confuſion:* And for this reaſon *Licurgus*, the greateſt Politician that ever Founded any Government, took a ſure way to fix Property by Confounding it, and bringing all into Common: And ſo the whole number of the Natural *Spartans*, who inhabited the City of *Lacedemon*, eat and

and drank in their several *convives* together: And as long as they continued so to do, they did not only preserve their Government entire, and that for a longer time than we can read of any Common-Wealth that ever lasted amongst the Ancients, but held as it were the principality of *Greece*. The *Athenians* for want of some Constitutions to fix Property, as *Theseus* placed it, were in danger of utter ruine, which they had certainly encounter'd, if the good Genius (as they then call'd it) of that People, had not raised them up a second Founder, more than six hundred years after the first, which was *Solon*: And because the History of this matter will very much conduce to the illustrating of this Aphorisme we have laid down, I will presume so much upon your patience as to make a short recital of it, leaving you to see it more at large in *Plutarch* and other Authors. The Lands in the Territory of *Attica* which were in the possession of the Common People, (for what reason History is silent) were for Debt all Mortgaged to the great Men of the City of *Athens*, and the Owners having no possibility of Re-

deeming their Eſtates, were treating to Compound with their Creditors, and deliver up their Lands to them: *Solon* (who was one of thoſe State Phyſicians we ſpake of,) was much troubled at this, and harangued daily to the Nobility and People againſt it, telling them firſt, that it was impoſſible for the *Grecians* to reſiſt the *Medes* (who were then growing up to a powerful Monarchy) except *Athens* the ſecond City of *Greece* did continue a Democracy; That it was as Impoſſible the People could keep their Empire, except they kept their Lands, nothing being more contrary to Nature, than that thoſe who poſſeſs nothing in a Country can pretend to Govern it. They were all ſenſible of his Reaſons, and of their own Danger, but the only Remedy (which was, that the great Men ſhould forgive the Common People their Debts) would not at all be digeſted; ſo that the whole City now fully underſtanding their condition, were continually in an uproar, and the People flock'd about *Solon*, whenever he came abroad, deſiring him to take upon him the Government, and be their Prince,

and

and they would make choice of him the next time they assembled. He told them no, he would never be a Tyrant, especially in his own Country; meaning, that he who had no more share than other of the Nobles, could not Govern the rest, without being an Usurper or Tyrant: But this he did to oblige his Citizens, he frankly forgave all the Debts that any of the People owed to him, and released their Lands immediately; and this amounted to fifteen *Attick* Talents of Gold, a vast sum in those days; and betook himself to a voluntary Exile, in which he visited *Thales*, and went to visit the Oracle of *Delphos*, and offer up his Prayers to *Apollo* for the preservation of his City: In return of which (as the People then believed) the hearts of the great ones were so changed and inlarged, that they readily agreed to remit all their Debts to the People, upon Condition that *Solon* would take the pains to make them a New Model of Government, and Laws suitable to a Democracy, which he as readily accepted and performed; by vertue of which that City grew and continued long the Great-

eſt, the Juſteſt, the moſt Vertuous, Learned and Renowned of all that Age; drove the *Perſians* afterwards out of *Greece*, defeated them both by Sea and Land, with a quarter of their number of Ships and Men; and produced the greateſt Wits and Philoſophers that ever lived upon Earth. The City of *Athens* Inſtituted a Solemn Feaſt in Commemoration of that great Generoſity and Self-denial of the Nobility; who Sacrificed their own Intereſt to the preſervation of their Country: which Feaſt was called the Solemnity of the *Seiſachtheia*, which ſignifies reciſion or abolition of Debts, and was obſerved with Proceſſions, Sacrifices and Games, till the time of the *Roman's* Dominion over them (who encouraged it,) and ever till the change of Religion in *Greece*, and Invaſion of the *Sarazens*. The *Roman's* having ommitted in their Inſtitution to provide for the fixing of Property, and ſo the Nobility called *Patricii*, beginning to take to themſelves a greater ſhare in the conquer'd Lands than had been uſual (for in the firſt times of the Commonwealth under *Romulus*, and ever after, it was always practiſed

practiſed to divide the Lands equally amongſt the Tribes) this Innovation ſtirred up *Licinius Stolo*, then Tribune of the People, to propoſe a Law; which, although it met with much difficulty, yet at laſt was conſented to; by which it was provided, that no *Roman* Citizen, of what degree ſoever, ſhould poſſeſs above five hundred Acres of Land; and for the remaining part of the Lands which ſhould be Conquer'd, it was Ordered to be equally divided, as formerly, amongſt the Tribes: This found admittance, after much oppoſition, becauſe it did provide but for the future, no Man at that time being owner of more Lands, than what was lawful for him to poſſeſs; and if this law had been ſtrictly obſerved to the laſt, that glorious Commonwealth might have ſubſiſted to this day, for ought we know.

Doctor. Some other Cauſe would have been the Ruine of it, what think you of a Foreign Conqueſt?

Eng. Gent. Oh *Doctor*, if they had kept their Poverty they had kept their Government and their Vertue too, and then it had not been an eaſie matter to ſubdue them,

them, *Quos vult perdere Jupiter dementat*; Breach of Rules and Order cauſes Diviſion, and Diviſion when it comes to be Incurable, expoſes a Nation almoſt as much as a Tyrannical Government does. The *Goths* and *Vandals*, had they Invaded in thoſe days, had met with the ſame ſucceſs which befell the *Cymbri*, and the *Teutones*. I muſt confeſs, a Foreign Invaſion is a Formidable thing, when a Commonwealth is weak in Territory and Inhabitants, and that the Invader is numerous and Warlike: And ſo we ſee the *Romans* were in danger of utter ruine when they were firſt attacqued by the *Gauls* under *Brennus*: The like hazzard may be feared, when a Commonwealth is aſſaulted by another of equal Vertue, and a Commander of equal Addreſs and Valour to any of themſelves. Thus the *Romans* run the risk of their Liberty and Empire, in the War of *Hanibal*; but their Power and their Vertue grew to that heighth in that conteſt, that when it was ended, I believe, that if they had preſerved the Foundation of their Government entire, they had been Invincible: And if I were alone of this Opinion,

on, I might be ashamed; but I am backt by the Judgment of your Incomparable Country man *Machiavil*; and no Man will condemn either of us of rashness, if he first consider, what small States, that have stood upon right bottoms, have done to defend their Liberty against great Monarchs; as is to be seen in the example of the little Commonwealth of *Athens*, which destroyed the Fleet of *Xerxes*, consisting of a thousand Vessels, in the Streights of *Salamis*, and his Land Army of three hundred thousand in the Plains of *Marathon*, and drove them out of *Greece*; for though the whole Confederates were present at the Battel of *Platæa*, yet the *Athenian* Army singly under their General *Miltiades*, gained that renowned Battel of *Marathon*.

Noble Ven. I beseech you, Sir, how was it possible, or practicable, that the *Romans* Conquering so many and so remote Provinces, should yet have been able to preserve their Agrarian Law, and divide all those Lands equally to their Citizens? Or if it had been possible, yet it would have ruin'd their City, by sending all their Inhabitants away; and by taking

taking in Strangers in their room, they must necessarily have had people less Vertuous and less Warlike, and so both their Government and their Military Discipline must have been Corrupted; for it is not to be immagined, but the People would have gone with their Families to the place where their Lands lay: So that it appears that the *Romans* did not provide, in the making and framing their first Polity, for so great Conquests as they afterwards made.

Eng. Gent. Yes, surely they did; from their first beginning they were Founded in War, and had neither Land nor Wives but what they fought for; but yet what you object were very weighty, if there had not been a consideration of that early: For assoon as that great and wise People had subdued the *Samnites* on the *East*, and brought their Arms as far as the *Greek* Plantations, in that part of *Italy* which is now called the Kingdom of *Naples*; and Westward, had reduced all the *Tuscans* under their Obedience, as far as the River *Arnus*, they made that and the River *Volturnus* (which runs by the Walls of *Capua*) the two Boundaries of their

their Empire, which was called *Domicilium Imperii*. These were the *ne plus ultra*, for what they Conquered between these two Rivers, was all confiscated and divided amongst the Tribes; the *Rustick* Tribes being twenty seven, and the *Urbane* Tribes nine, which made thirty six in all. The City Tribes were like our Companies in *London*, consisting of Tradesmen. The Country Tribes were divided like Shires, and there was scarce any Landed Men, who Inhabited in the City, but he was written in that Tribe where his Estate lay; so that the *Rustick* Tribes (though they had all equal Voices) were of far more Credit and Reputation than the *Urbane*. Upon the days of the *Comtia*, which were very well known, as many as thought fit amongst the Country Tribes, came to give their Voices, though every Tribe was very numerous of Inhabitants that lived in the City. Now the *Agrarian* did not extend to any Lands conquered beyond this Precinct, but they were left to the Inhabitants, they paying a Revenue to the Commonwealth; all but those which were thought fit to be set out to maintain

tain a *Roman* Colony, which was a good number of *Roman* Citizens, ſent thither, and provided of Lands and Habitations, which being Armed did ſerve in the nature of a Citadel and Gariſon to keep the Province in Obedience, and a *Roman* Prætor, Proconſul, or other Governour, was ſent yearly to Head them, and brought Forces with him beſides. Now it was ever lawful for any *Roman* Citizen to purchaſe what Lands he pleaſed in any of theſe Provinces; it not being dangerous to a City to have their People rich, but to have ſuch a Power in the Governing part of the Empire, as ſhould make thoſe who managed the Affairs of the Commonwealth depend upon them; which came afterwards to be that which ruined their Liberty, and which the *Gracchi* endeavoured to prevent when it was too late: For thoſe Illuſtrious perſons ſeeing the diſorder that was then in the Commonwealth, and rightly comprehending the Reaſon, which was the Intermiſſion of the *Agrarian*, and by conſequence the great Purchaſes which were made by the Men of *Rome* (who had inrich'd themſelves in *Aſia* and the other Provinces) in

in that part of *Italy* which was between the two Rivers, before mentioned, began to harrangue the People, in hopes to perſwade them to admit of the right Remedy, which was to confirm the *Agrarian* Law with a Retroſpect; which although they carried, yet the difficulties in the Execution proved ſo great, that it never took effect, by reaſon that the Common People, whoſe Intereſt it was to have their Lands reſtored; yet having long lived as Clients, and Dependants of the great ones, choſe rather to depend ſtill upon their Patrons, than to hazard all for an Imaginary deliverance, by which ſupineneſs in them, they were prevail'd with rather to joyn (for the moſt part) with the Oppreſſors of themſelves and their Country, and to cut the throats of their Redeemers, than to employ their juſt reſentment againſt the covetous Violators of their Government and Property. So periſhed the two renowned *Gracchi*, one ſoon after the other, not for any crime, but for having endeavoured to preſerve and reſtore their Commonwealth; for which (if they had lived in times ſuitable to ſuch an Heroick undertaking,

taking, and that the vertue of their Ancestors had been yet in any kind remaining) they would have merited and enjoyed a Reputation equal to that of *Lycurgus*, or *Solon*, whereas as it happen'd, they were sometime after branded with the name of Sedition, by certain Wits, who prostituted the noble flame of Poetry (which before had wont to be employed in magnifying Heroick Actions) to flatter the Lust and Ambition of the *Roman* Tyrants.

Noble Ven. Sir, I approve what you say in all things, and in Confirmation of it, shall further alledge the two famous Princes of *Sparta*, *Agis*, and *Cleomines*, which I couple together, since *Plutarch* does so; These finding the Corruption of their Commonwealth, and the Decay of their ancient Vertue, to proceed from the neglect and inobservance of their Founders Rules, and a breach of that Equality which was first Instituted; endeavoured to restore the Laws of *Lycurgus*, and divide the Territory anew; their Victory in the *Peloponesian* War, and the Riches and Luxury brought into their City by *Lisander*, having long before

broken

broken all the Orders of their Common-wealth, and deſtroyed the Proportions of Land allotted to each of the Natural *Spartans*: But the firſt of theſe two excellent Patriots periſhed by Treachery in the beginning of his Enterprize, the other began and went on with incomparable Prudence and Reſolution, but miſcarried afterwards by the Iniquity of the times, and baſeneſs and wickedneſs of the People; ſo infallibly true it is, That where the Policy is Corrupted, there muſt neceſſarily be alſo a Corruption and depravation of Manners, and an utter abolition of all Faith, Juſtice, Honour, and Morality; but I forget my ſelf, and intrench upon your Province: there is nothing now remains to keep you from the Modern Policies, but that you pleaſe to ſhut up this Diſcourſe of the Ancient Governments, with ſaying ſomething of the Corruptions of *Ariſtocracy*, and *Democracy*; for I believe both of us are ſatisfied that you have abundantly proved your Aſſertion, and that when we have leiſure to examine all the States or Policies that ever were, we ſhall find all their Changes to have turn'd upon

this Hinge of Property, and that the fixing of that with good Laws in the beginning or first Institution of a State, and the holding to those Laws afterwards, is the only way to make a Commonwealth Immortal.

Eng. Gent. I think you are very right, but I shall obey you, and do presume to differ from *Aristotle*, in thinking that he has not fitly called those Extreams (for so I will stile them) of *Aristocracy* and *Democracy*, Corruptions; for that they do not proceed from the alteration of Property, which is the *Unica corruptio politica*: For example, I do not find that Oligarchy, or Government of a few, which is the Extream of an Optimacy, ever did arise from a few Mens getting into their hands the Estates of all the rest of the Nobility: For had it began so, it might have lasted, which I never read of any that did. I will therefore conclude that they were all Tyrannies; for so the *Greeks* called all Usurpations, whether of one or more persons, and all those that I ever read of, as they came in either by Craft or Violence, as the Thirty Tyrants of *Athens*, the Fifteen of *Thebes*, and the

Decem

Decem viri of *Rome* (though these at first came in lawfully) so they were soon driven out; and ever, were either assassinated, or dyed by the Sword of Justice; and therefore I shall say no more of them, not thinking them worth the name of a Government. As for the Extream of *Democracy*, which is *Anarchy*, it is not so; for many Commonwealths have lasted for a good time under that Administration (if I may so call a State so full of Confusion.) An *Anarchy* then is, when the People not contented with their Share in the Administration of the Government, (which is the right of Approving, or Disapproving of Laws, of Leagues, and of making of War and Peace, of Judging in all Causes upon an Appeal to them, and chusing all manner of Officers) will take upon themselves the Office of the *Senate* too, in managing Subordinate Matters of State, Proposing Laws Originally, and assuming Debate in the Market place, making their Orators their Leaders; nay, not content with this, will take upon them to alter all the Orders of the Government when they please; as was frequently

practiſed in *Athens*, and in the Modern State of *Florence*. In both theſe Cities, when ever any great perſon who could lead the People, had a mind to alter the Government, he call'd them together, and made them Vote a Change. In *Florence* they call'd it, *Chiamar il popolo a Parlamento e rupigliar lo Stato*, which is ſummoning the People into the Market-place to reſume the Government, and did then preſently Inſtitute a new one, with new Orders, new Magiſtracies, and the like. Now that which Originally cauſes this Diſorder, is the admitting (in the beginning of a Government, or afterwards,) the meaner ſort of People, who have no Share in the Territory, into an equal part of Ordering the Commonwealth; theſe being leſs ſober, leſs conſidering, and leſs careful of the Publick Concerns; and being commonly the Major part, are made the Inſtrument oft-times of the Ambition of the great ones, and very apt to kindle into Faction: but notwithſtanding all the Confuſion which we ſee under an Anarchy (where the wiſdom of the better ſort is made uſeleſs by the fury of the People)

yet many Cities have ſubſiſted hundreds of years in this condition; and have been more conſiderable, and performed greater Actions, than ever any Government of equal Extent did, except it were a well regulated *Democracy*; But it is true, they ruine in the end, and that never by Cowardize or baſeneſs, but by too much boldneſs and temerarious undertakings, as both *Athens* and *Florence* did; The firſt undertaking the Invaſion of *Sicily*, when their Affairs went ill elſewhere; and the other by provoking the *Spaniard* and the *Pope*. But I have done now, and ſhall paſs to ſay ſomething of the Modern Policy.

Noble Ven. Before you come to that, Sir, pray ſatisfie me in a Point which I ſhould have moved before, but that I was unwilling to Interrupt your rational Diſcourſe; How came you to take it for granted, that *Moſes*, *Theſeus*, and *Romulus* were Founders of Popular Governments? as for *Moſes*, we have his Story written by an Infallible Pen; *Theſeus* was ever called King of *Athens*, though he liv'd ſo long ſince, that what is written of him is juſtly eſteem'd fabulous;

but *Romulus* certainly was a King, and that Government continued a Monarchy, though Elective, under seven Princes.

Eng. Gent. I will be very short in my Answer, and say nothing of *Theseus*, for the reason you are pleased to alledge. But for *Moses*, you may read in Holy Writ, that when, by God's Command, he had brought the *Israelites* out of *Egypt*, he did at first manage them by acquainting the People with the Estate of their Government, which People were called together with the sound of a Trumpet, and are tearmed in Scripture, the Congregation of the Lord; this Government he thought might serve their turn in their passage, and that it would be time enough to make them a better when they were in possession of the Land of *Canaan*; Especially having made them Judges and Magistrates at the instance of his Father-in-law, which are called in Authors, *Præfecti Jethroniani*; but finding that this Provision was not sufficient, complain'd to God of the difficulty he had, to make that State of Affairs hold together; God was pleased to Order him,

him to let seventy Elders be appointed for a Senate, but yet the Congregation of the Lord continued still, and acted: And by the several soundings of the Trumpets, either the Senate or Popular Assembly were called together, or both; so that this Government was the same with all other *Democracies*, consisting of a Principal Magistrate, a Senate and a People Assembled together, not by Representation, but in a Body. Now for *Romulus*, it is very plain, that he was no more than the first Officer of the Commonwealth, whatever he was called, and that he was chosen (as your *Doge* is) for Life; and when the last of those seven Kings usurpt the place, that is, did reign *injussu populi*, and exercise the Government Tyrannically, the People drove him out (as all People in the World that have Property will do in the like Case, except some extraordinary qualifications in the Prince preserve him for one Age) and afterwards appointed in his room two Magistrates, and made them Annual, which two had the same Command, as well in their Armies as in their Cities, and did not make

the least alteration besides, excepting that they chose an Officer that was to perform the Kings Function in certain Sacrifices (which *Numa* appointed to be performed by the King) lest the People should think their Religion were changed: This Officer was called *Rex Sacrificulus*. If you are satisfied, I will go on to the consideration of our Modern States.

Noble Ven. I am fully answered, and besides am clearly of Opinion, that no Government, whether mixt Monarchy or Commonwealth, can subsist without a Senate, as well from the turbulent State of the *Israelites* under *Moses* till the *Sanhedrin* was Instituted, as from a certain Kingdom of the *Vandals* in *Africa*; where after their Conquest of the Natives, they appointed a Government consisting of a Prince and a Popular Assembly, which latter, within half a year, beat the Kings brains out, he having no bulwark of Nobility or Senate to defend him from them. But I will divert you no longer.

Eng. Gent. Sir, you are very right, and we should have spoken some thing of that before, if it had been the business of this Meeting to Discourse of the particular Models of Government; but intending only to say so much of the Ancient Policy as to shew what Government in General is, and upon what basis it stands, I think I have done it sufficiently to make way for the understanding of our own, at least when I have said something of the Policies which are now extant; and that with your favour I will do. I shall need say little now of those Commonwealths, which however they came by their Liberty, either by Arms or Purchase, are now much-what under the same kind of Policy as the Ancients were. In *Germany*, the Free Towns, and many Princes make up the Body of a Commonwealth called the Empire, of which the Emperour is Head; this General Union hath its Diets or Parliaments, where they are all represented, and where all things concerning the Safety and Interest of *Germany* in General, or that belong to Peace and War, are Transacted; these

Diets

Diets never intermeddle with the particular Concerns or Policies of those Princes or States that make it up, leaving to them their particular Soveraignties: The several Imperial Cities, or Commonwealths, are divided into two kindes, *Lubeck*'s Law, and *Collen*'s Law, which being the same exactly with the ancient *Democracies* and *Optimacies*, I will say no more of them. The Government of *Swizerland*, and the Seven Provinces of the *Low-Countries* were made up in haste, to Unite them against Persecution and Oppression, and to help to defend themselves the better, which they both have done very gallantly and successfully: They seem to have taken their Pattern from the *Grecians*, who when their Greatness began to decline, and the several Tyrants who succeeded *Alexander* began to press hard upon them, were forced to League themselves (yet in several Confederacies, as that of the *Etolians*, that of the *Achaians*, &c.) for their mutual defence. The *Swisses* consist of Thirteen Soveraignties; some Cities which are most *Aristocratical*, and some Provinces which have but a Village

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for their head Township. These are all *Democracies*, and are Govern'd all by the Owners of Land, who Assemble as our Free-Holders do at the County-Court. These have their General Diets, as in *Germany*. The Government of the United Provinces has for its Foundation the Union of *Utrecht*, made in the beginning of their standing upon their Guard against the Cruelty and Oppression of the *Spaniard*, and patcht up in haste; and seeming to be compos'd only for necessity, as a State of War, has made Modern Statesmen Conjecture that it will not be very practicable in time of Peace, and Security. At their General Diet, which is called the States General, do intervene the Deputies of the Seven Provinces, in what number their Principals please; but all of them have but one Vote, which are by consequence Seven, and every one of the Seven hath a Negative; so that nothing can pass without the Concurrence of the whole Seven. Every one of these Provinces have a Council or Assembly of their own, called the States Provincial, who send and Instruct their Deputies to the States-General,

General, and perform other Offices belonging to the Peace and Quiet of the Province. Theſe Deputies to the States Provincial, are ſent by ſeveral Cities of which every Province conſiſts, and by the Nobility of the Province, which hath one Voice only: The Baſis of the Government lies in theſe Cities, which are every of them a diſtinct Soveraignty; neither can the States of the Province, much leſs the States General, intrench in the leaſt upon their Rights, nor ſo much as intermeddle with the Government of their Cities, or Adminiſtration of Juſtice, but only treat of what concerns their mutual Defence, and their Payments towards it. Every one of theſe Cities is a Soveraignty, Governed by an *Optimacy*, conſiſting of the chief Citizens, which upon death are ſupplyed by new ones Elected by themſelves; theſe are called the *Vrnſcaperie* or *Herne*, which Council has continued to Govern thoſe Towns, time out of mind; even in the times of their Princes, who were then the Soveraigns; for without the conſent of him, or his Deputy, called State-Holder, nothing could be concluded

ded in thoſe days. Since they have Inſtituted an artificial Miniſter of their own, whom they ſtill call State-Holder, and make choice of him in their Provincial Aſſemblies, and for Form ſake defer ſomething to him as the Approbation of their Skepen and other Magiſtrates, and ſome other Matters: This has been continued in the Province, of *Holland*, which is the chief Province in the Succeſſion of the Princes of *Orange*, and in moſt of the others too: The reſt have likewiſe choſen ſome other of the Houſe of *Naſſaw*. This Government (ſo odly ſet together, and ſo compos'd of a State, intended for a Monarchy, and which, as Almanacks Calculated for one Meridian are made in ſome ſort to ſerve for another, is by them continued in theſe ſeveral *Ariſtocracies*) may laſt for a time, till Peace and Security, together with the abuſe which is like to happen in the choice of the *Herne*, when they ſhall Elect perſons of ſmall note into their Body, upon Vacancies, for Kindred or Relation, rather than ſuch as are of Eſtate and eminency, or that otherwiſe abuſe their power in the execution of it, and then it is believed,

lieved, and reasonably enough, that those People (great in Wealth, and very acute in the Knowledge of their own Interest) will find out a better Form of Government, or make themselves a prey to some great Neighbour-Prince in the attempting it; and this in case they in the mean time escape Conquest from this great and powerful King of *France*, who at this time gives Law to Christendom. I have nothing now left to keep me from the Modern Monarchies, but the most famous Commonwealth of *Venice*, of which it would be presumption for me to say any thing whilest you are present.

Noble Ven. You may very safely go on if you please; for I believe Strangers understand the Speculative part of our Government, better than we do; and the Doctrine of the Ballot which is our chief excellency; For I have had many Descriptions of our Frame, which have taught me something in it which I knew not before; particularly, *Donato Gianotti* the *Florentine*, to whom I refer those who are curious to know most of our Orders, for we that manage the Mechanical part of the Government are like

Horses

Horſes who know their Track well enough, without conſidering *Eaſt* or *Weſt*, or what buſineſs they go about. Beſides, it would be very tedious, and very needleſs, to make any Relation of our Model, with the ſeveral Councils that make it up, and would be that which you have not done in Treating of any other Government: what we have ſaid is enough to ſhew what beginning we had, and that ſerves your turn, for we who are called Nobility, and who manage the State, are the Deſcendents of the firſt Inhabitants, and had therefore been a *Democracy*, if a numerous Flock of Strangers (who were contented to come and live amongſt us as Subjects) had not ſwelled our City, and made the Governing party ſeem but a handful; ſo that we have the ſame Foundations that all other *Ariſtocracies* have, who Govern but one City, and have no Territory but what they Govern Provincially; and our People not knowing where to have better Juſtice, are very well contented to live amongſt us, without any ſhare in the Managing of Affairs; yet we have power to Adopt whom we pleaſe into

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our Nobility, and I believe that in the time of the *Roman* greatness, there were five for one of the Inhabitants who were written in no Tribe, but look'd upon as Strangers, and yet that did not vitiate their *Democracy*, no more than our Citizens and common People can hurt our *Optimacy*; all the difficulty in our Administration, hath been to regulate our own Nobility, and to bridle their faction and ambition, which can alone breed a Disease in the Vital part of our Government, and this we do by most severe Laws, and a very vigorous execution of them.

Doct. Sir, I was thinking to Interpose concerning the Propriety of Lands in the Territory of *Padua*, which I hear is wholly in the possession of the Nobility of *Venice*.

Noble Ven. Our Members have very good Estates there, yet nothing but what they have paid very well for, no part of that Country, or of any other Province, having been shar'd amongst us as in other Conquests: 'Tis true that the *Paduans* having ever been the most revengful People of *Italy*, could not be deterr'd from

from those execrable and treacherous Murders which were every day committed, but by a severe Execution of the Laws as well against their Lives as Estates: And as many of their Estates as were Confiscated, were (during our necessities in the last War with the *Turks*) exposed to sale, and sold to them that offered most, without any consideration of the persons purchasing; But it is very true that most of them came into the hands of our Nobility, they offering more than any other, by reason that their sober and frugal living, and their being forbidden all manner of Traffique, makes them have no way of Imploying their Money which proceeds from their Parsimony, and so they can afford to give more than others who may Imploy their Advance to better profit elsewhere. But I perceive, *Doctor*, by this Question, that you have studied at *Padua*.

Doct. No really, Sir, the small learning I have was acquired in our own University of *Oxford*, nor was I ever out of this Island.

Noble. Ven. I would you had, Sir, for it would have been a great honour to

our Country to have contributed any thing towards ſo vaſt a knowledge as you are poſſeſſor of: But I wiſh more that it were your Country, or at leaſt the place of your Habitation, that ſo we might partake not only of your excellent Diſcourſe ſometimes, but be the better for your skill, which would make us Immortal.

Doct. I am glad to ſee you ſo well that you can make your ſelf merry, but I aſſure you I am very well here; *England* is a good wholſome Climate for a Phyſician: But, pray let our Friend go on to his Modern Monarchies.

Eng. Gent. That is all I have now to do: Thoſe Monarchies are two, Abſolute, and Mixt; for the firſt kind, all that we have knowledge of, except the Empire of the *Turks*, differ ſo little from the ancient Monarchies of the *Aſſyrians* and *Perſians*, that having given a ſhort Deſcription of them before, it will be needleſs to ſay any more of the *Perſian*, the *Mogull*, the King of *Pegu*, *China*, *Preſtor-John*, or any other the great Men under thoſe Princes, as the *Satrapes* of old; being made ſo only by their being employ-

employed and put into great places and Governments by the Soveraign; but the Monarchy of the Grand Seignior is ſomthing different; they both agree in this, that the Prince is in both abſolute Proprietor of all the Lands, (excepting in the Kingdom of *Egypt*, of which I ſhall ſay ſomething anon) but the diverſity lies in the Adminiſtration of the Property; the other Emperours as well Ancient as Modern uſing to manage the Revenue of the ſeveral Towns, and Pariſhes, as our Kings, or the Kings of *France* do; that is, keep it in their hands, and Adminiſter it by Officers: And ſo you may read that *Xerxes* King of *Perſia* allowed the Revenue of ſo many Villages to *Themiſtocles*, which Aſſignations are practiſed at this day, both to publick and private uſes, by the preſent Monarchs. But the *Turks*, when they invaded the broken Empire of the *Arabians*, did not at firſt make any great alteration in their Polley, till the Houſe of *Ottoman* the preſent Royal Family did make great Conqueſts in *Aſia*, and afterwards in *Greece*, whence they might poſſibly bring their preſent way of dividing their conquered

Territories; for they took the ſame courſe which the *Goths* and other Modern People had uſed with their Conquered Lands in *Europe*, upon which they planted Military Colonies, by dividing them amongſt the Souldiers for their pay or maintenance. Theſe ſhares were called by them *Timarr's*, which ſignifies *Benefices*, but differ'd in this only from the *European* Knights Fees, that theſe laſt Originally were Hereditary, and ſo Property was maintained, whereas amongſt the *Ottomans*, they were meerly at will; and they enjoyed their ſhares whileſt they remain'd the *Sultan's* Souldiers, and no longer; being turn'd out both of his Service, and of their *Timarr's*, when he pleaſes. This doubtleſs had been the beſt and firmeſt Monarchy in the World, if they could have ſtayed here, and not had a Mercinary Army beſides, which have often (like the Prætorians in the time of the *Roman* Tyrants) made the Palace and the Serraglio the Shambles of their Princes; whereas if the *Timariots*, aſwell *Spahis* or Horſe, as Foot, had been brought together to Guard the Prince by Courſes (as they uſed to do King *David*)

vid) as well as they are to Fight for the Empire; this horrid flaw and inconvenience in their Government had been wholly avoided. For though these are not planted upon entire Property as *David's* were, (those being in the nature of Trained-Bands) yet their remoteness off their Habitations from the Court, and the Factions of the great City, and their desire to repair home, and to find all things quiet at their return, would have easily kept them from being infected with that cursed disease of Rebellion against their Soveraign, upon whose favour they depend for the continuance of their livelihood: Whereas the *Janizaries* are for life, and are sure to be in the same Imployment under the next Successor; so sure, that no Grand Seignior can, or dares go about to Disband them, the suspicion of intending such a thing having caused the death of more than one of their Emperours. But I shall go to the limited Monarchies.

Doct. But pray, before you do so, Inform us something of the *Roman* Emperours; Had they the whole Dominion or Property of the Lands of *Italy*?

Eng. Gent. The *Roman* Emperours I reckon amongst the Tyrants, for so amongst the *Greeks* were called those Citizens who usurpt the Governments of their Commonwealths, and maintain'd it by force, without endeavouring to Found or Establish it, by altering the Property of Lands, as not imagining that their Children could ever hold it after them, in which they were not deceived: So that it is plain that the *Roman* Empire was not a natural but a violent Government. The reasons why it lasted longer than ordinarily Tyrannies do, are many; First, because *Augustus* the first Emperour kept up the Senate, and so for his time cajold them with this Mair of Imaginary Power, which might not have sufficed neither to have kept him from the fate of his Uncle, but that there had been so many Revolutions and Bloody Wars between, that all Mankind was glad to repose and take breath for a while under any Government that could protect them. And he gain'd the service of these Senators the rather, because he suffered none to be so but those who had followed his Fortune in the several

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Civil Wars, and ſo were engaged to ſupport him for their own preſervation; Beſides, he confiſcated all thoſe who had at any time been proſcribed, or ſided in any Encounter againſt him; which, conſidering in how few hands the Lands of *Italy* then were, might be an over-ballance of the Property in his hands. But this is certain, that whatever he had not in his own poſſeſſion, he diſpoſed of at his pleaſure, taking it away, as alſo the lives of his People, without any judicial proceedings, when he pleaſed: That the Confiſcations were great, we may ſee by his planting above ſixty thouſand Souldiers upon Lands in *Lombardy*; That is, erecting ſo many *Beneficia*, or *Timarr's*, and, if any Man's Lands lay in the way, he took them in for Neighbourhood, without any delinquency. *Mantua væ miſeræ nimium vicina Cremonæ.* And it is very evident that if theſe *Beneficia* had not afterwards been made Hereditary, that Empire might have had a ſtabler Foundation, and ſo a more quiet and orderly progreſs than it after had; for the Court Guards, call'd the Prætorians, did make ſuch havock of

their Princes, and change them ſo often, that this (though it may ſeem a Paradox) is another reaſon why this Tyranny was not ruin'd ſooner; for the People, who had really an Intereſt to endeavour a change of Government, were ſo prevented by ſeeing the Prince, whom they deſigned to ſupplant, removed to their hand, that they were puzled what to do, taking in the mean time great recreation to ſee thoſe wild Beaſts hunted down themſelves, who had ſo often prey'd upon their Lives and Eſtates; beſides that, moſt commonly the frequent removes of their Maſters, made them ſcarce have time to do any miſchief to their poor oppreſſed Subjects in particular, though they were all Slaves in General. This Government of the later *Romans* is a clear Example of the truth and efficacy of theſe Politick Principles we have been diſcourſing of. Firſt, that any Government (be it the moſt unlimitted and arbitrary Monarchy) that is placed upon a right Baſis of Property, is better both for Prince and People, than to leave them a ſeeming Property, ſtill at his devotion, and then for want of fixing the Foundation,

tion, expose their Lives to those dangers and hazzards with which so many Tumults and Insurrections, which must necessarily happen, will threaten them daily: And in the next place, that any violent constraining of mankind to a subjection, is not to be called a Government, nor does salve either the Politick or Moral ends, which those eminent Legislators amongst the Ancients proposed to themselves, when they set Rules to reserve the quiet and peace, as well as the plenty prosperity and greatness of the People; but that the Politicks or Art of Governing is a Science to be learned and studied by Counsellors and Statesmen, be they never so great; or else Mankind will have a very sad condition under them, and they themselves a very perplexed and turbulent life, and probably a very destructive and precipitous end of it.

Doct. I am very glad I gave occasion to make this Discourse; now I beseech you, before you go to the mixt Monarchies, not to forget *Egypt*.

Eng.

Eng. Gent. 'Twas that I was coming to, before you were pleased to interrogate me concerning the *Roman* Empire. The *Egyptians* are this day, for ought I know, the only People that enjoy Property, and are Governed as a Province by any of the Eastern absolute Princes. For whereas *Damasco*, *Aleppo*, and most of the other Cities and Provinces of that Empire, whose Territory is divided into *Timarr's*, are Governed by a Bashaw, who for his Guards has some small number of Janizaries or Souldiers; the Bashaw of *Egypt*, or of Grand *Cairo*, has ever an Army with him; and divers Forts are erected, which is the way *European* Princes use in Governing their Provinces, and must be so where Property is left entire, except they plant Colonies as the *Romans* did. The reason why *Selim*, who broke the Empire of the *Mamalukes*, and conquered *Egypt*, did not plant *Timarr's* upon it, was the Lazines and Cowardlines of the People, and the great Fruitfulnes of the Soil, and Deliciousnes of the Country, which has mollifi'd and rendred effeminate all the Nations that ever did Inhabit it. So that a re-

a reſolution was taken to impoſe upon them, firſt the maintaining an Army by a Tax, and then to pay a full half of all the Fruits and product of their Lands (to the Grand Seignior) which they are to Cultivate and Improve: This is well managed by the Bathaws and their Officers, and comes to an incredible ſum; the goods being ſold, the Money is conveyed *in ſpecie* to the Port, and is the greateſt part of that Prince's Revenue. And it is believed, that if all the Lands had been entirely confiſcated, and that the Grand Seignior had managed them by his Officers, he would not have made a third part ſo much of the whole, as he receives now annually for one half; not only becauſe thoſe People are extreamly induſtrious where their own profit is concerned: but for that, it is clear, if they had been totally diveſted of their Eſtates, they would have left their Country, and made that which is now the moſt populous Kingdom of the World, a Deſart, as is all the reſt of the *Turkiſh* Dominions, except ſome Cities. And if the People had removed as they did elſewhere, there would not only

have wanted hands to have Cultivated and Improv'd the Lands, but mouths to consume the product of it; so that the Princes Revenue by the cheapness of Victual, and the want of Labourers, would have almost fallen to nothing.

Noble Ven. Pray God this be not the reason that this King of *France* leaves Property to his Subjects; for certainly he hath taken example by this Province of *Egypt*, his Subjects having a Tax (which for the continuance of it, I must call a Rent or Tribute) Impos'd upon them to the value of one full half of their Estates, which must ever increase as the Lands improve.

Eng. Gent. I believe, Sir, there is another reason; For the Property there, being in the Nobility and Gentry, which are the hands by which he manages his Force both at home and abroad, it would not have been ease or safe for him to take away their Estates. But I come to the limitted Monarchies. They were first Introduced (as was said before) by the *Goths*, and other Northern People. Whence those great swarms came, as it was unknown to *Procopius* himself, who liv'd

liv'd in the time of their Invaſion, and who was a diligent ſearcher into all the circumſtances of their concernments; ſo it is very needleſs for us to make any enquiry into it, thus much being clear, That they came Man, Woman, and Child, and conquer'd and poſſeſt all theſe parts of the World, which were then ſubject to the *Roman* Empire, and ſince Chriſtianity came in have been ſo to the Latine Church, till honeſt *John Calvin* taught ſome of us the way how to deliver our ſelves from the Tyrannical Yoak, which neither we nor our Forefathers were able to bear. Whence thoſe People had the Government they Eſtabliſht in theſe parts after their Conqueſt, that is, whether they brought it from their own Country, or made it themſelves, muſt needs be uncertain, ſince their Original is wholly ſo; but it ſeems very probable that they had ſome excellent perſons among them, though the ignorance and want of learning in that Age hath not ſuffered any thing to remain that may give us any great light; for it is plain, that the Government they ſettled, was both according to the exact

Rules

Rules of the Politicks, and very natural and ſuitable to that Diviſion they made of their ſeveral Territories. When-ever then theſe Invaders had quieted any Province, and that the People were driven out or ſubdued, they divided the Lands, and to the Prince they gave uſually a tenth part, or thereabouts; to the great Men, or *Comites Regis* (as it was tranſlated into Latine) every one (as near as they could) an equal ſhare. Theſe were to enjoy an Hereditary right in their Eſtates, as the King did in his part and in the Crown; but neither he, nor his Peers or Companions, were to have the abſolute diſpoſal of the Lands ſo allotted them, but were to keep a certain proportion to themſelves for their uſe: and the reſt was ordered to be divided amongſt the Free-men, who came with them to Conquer. What they kept to themſelves was called *Demeſnes* in *Engliſh* and *French*, and in *Italian*, *Beni Allodiati*. The other part which they granted to the Free-men, was called a *Feud*: and all theſe Eſtates were held of theſe Lords Hereditarily, only the Tenants were to pay a ſmall

Rent

Rent annually, and at every Death or Change an acknowledgment in Money, and in ſome Tenures the beſt Beaſt beſides: But the chief condition of the *Feud* or Grant, was, that the Tenant ſhould perform certain Services to the Lord, of which one (in all Tenures of Free-men) was to follow him Armed to the Wars for the Service of the Prince and Defence of the Lands. And upon their admittance to their *Feuds*, they take an Oath to be true Vaſſals and Tenants to their Lords, and to pay their Rents, and perform their Services, and upon failure to forfeit their Eſtates; and theſe Tenants were divided according to their Habitations into ſeveral Mannors, in every one of which there was a Court kept twice every year, where they all were to appear, and to be admitted to their ſeveral Eſtates, and to take the Oath above mentioned. All theſe Peers did likewiſe hold all their Demeſnes, as alſo all their Mannors, of the Prince; to whom they ſwore Allegiance and Fealty: There were beſides theſe Free-men or Francklins, other Tenants to every Lord, who were called Villains,

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who were to perform all ſervile Offices, and their Eſtates were all at the Lords diſpoſal when he pleaſed; theſe conſiſted moſtly of ſuch of the former Inhabitants of theſe Countries, as were not either deſtroyed or driven out, and poſſibly of others who were ſervants amongſt them, before they came from their own Countries. Perhaps thus much might have been unneceſſary to be ſaid, conſidering that theſe Lords, Tenants, and Courts, are yet extant in all the Kingdoms in *Europe*, but that to a Gentleman of *Venice*, where there are none of theſe things, and where the *Goths* never were, ſomething may be ſaid in excuſe for me.

Noble Ven. 'Tis true, Sir, we fled from the *Goths* betimes, but yet in thoſe Countries which we recovered ſince in *Terra firma*, we found the footſteps of theſe Lords, and Tenures, and their Titles of Counts; though being now Provinces to us, they have no influence upon the Government, and ſuppoſe you are about to prove they have in theſe parts.

Eng.

Eng. Gent. You are right, Sir; for the Governments of *France*, *Spain*, *England*, and all other Countries where these People setled were fram'd accordingly. It is not my busines to describe particularly the distinct Forms of the several Governments in *Europe*, which do derive from these People (for they may differ in some of their Orders and Laws, though the Foundation be in them all the same) this would be unnecessary, they being all extant, and so well known; and besides little to my purpose, excepting to shew where they have declined from their first Institution and admitted of some change. *France*, and *Poland*, have not, nor as I can learn, ever had any Free-men below the Nobility; that is, had no Yeomen; but all are either Noble, or Villains, therefore the Lands must have been Originally given as they now remain, into the hands of these Nobles. But I will come to the Administration of the Government in these Countries, and first say wherein they all agree, or did at least in their Institution, which is, That the Soveraign power is in the States assembled

together by the Prince, in which he presides; these make Laws, Levy Money, Redress Grievances, punish great Officers, and the like. These States consist in some places of the Prince and Nobility only, as in *Poland*, and anciently in *France* (before certain Towns for the encouraging of Trade, procured Priviledges to send Deputies; which Deputies are now called the third Estate) and in others consist of the Nobility and Commonalty, which latter had and still have the same right to Intervene and Vote, as the great ones have both in *England*, *Spain*, and other Kingdomes.

Doct. But you say nothing of the Clergy, I see you are no great friend to them, to leave them out of your Politicks.

Eng. Gent. The truth is, *Doctor*, I could wish there had never been any, the purity of Christian Religion, as also the good and orderly Government of the World, had been much better provided for without them, as it was in the Apostolical time, when we heard nothing of Clergy. But my omitting their Reverend Lordships was no neglect, for I meant

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to come to them in order; for you know that the Northern People did not bring Chriſtianity into theſe parts, but found it here, and were in time converted to it, ſo that there could be no Clergy at the firſt; but if I had ſaid nothing at all of this Race, yet I had committed no Soleciſme in the Politicks; for the Biſhops and great Abbots intervene in the States here, upon the ſame Foundation that the other Peers do, *viz.* for their great poſſeſſions, and the dependence their Tenants and Vaſſals have upon them; although they being a People of that great ſanctity and knowledg, ſcorn to intermix ſo much as Titles with us profane Lay Ideots, and therefore will be called Lords Spiritual: But you will have a very venerable opinion of them, if you do but conſider how they came by theſe great poſſeſſions, which made them claim a third part of the Government. And truly not unjuſtly by my rule, for I believe they had not leſs (at one time) than a third part of the Lands in moſt of theſe Countries.

Noble Ven. Pray, how did they acquire these Lands? was it not here by the Charitable donation of pious Christians, as it was elsewhere?

Eng. Gent. Yes, certainly, very pious men; some of them might be well meaning people, but still such as were cheated by these holy men, who told them perpetually, both in publick and private, that they represented God upon Earth, being Ordained by Authority from him who was his Viceroy here, and that what was given to them was given to God, and he would repay it largely both in this World and the next. This wheedle made our barbarous Ancestors, newly Instructed in the Christian Faith (if this Religion may be called so, and sucking in this foolish Doctrine more than the Doctrine of Christ) so zealous to these Vipers, that they would have pluckt out their eyes to serve them, much more bestow, as they did, the fruitfullest and best situate of their possessions upon them: Nay, some they perswaded to take upon them their Callings, vow Chastity, and give all they had to them, and become one of them, amongst whom,

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I believe, they found no more ſanctity than they left in the World. But this is nothing to another trick they had, which was to inſinuate into the moſt notorious, and execrable Villains, with which that Age abounded; Men, who being Princes, and other great Men (for ſuch were the Tools they work'd with) had treacherouſly poiſoned, or otherwiſe murdered their neareſt Relations, Fathers, Brothers, Wives, to reign, or enjoy their Eſtates; Theſe they did perſwade into a belief, that if they had a deſire to be ſav'd, notwithſtanding their execrable Villanies, they need but part with ſome of thoſe great poſſeſſions (which they had acquired by thoſe acts) to their Biſhopricks or Monaſteries, and they would pray for their Souls, and they were ſo holy and acceptable to God, that he would deny them nothing; which they immediately performed, ſo great was the ignorance and blindneſs of that Age; and you ſhall hardly find in the ſtory of thoſe times, any great Monaſtery, Abbey, or other Religious Houſe in any of theſe Countries (I ſpeak confidently, as to what concerns our

own *Saxons*) that had not its Foundation from ſome ſuch Original.

Doct. A worthy beginning of a worthy Race!

Eng. Gent. Well, this Digreſſion is not without its uſe, for it will ſhorten our buſineſs (which is grown longer than I thought it would have been) for I ſhall mention the Clergy no more, but when-ever I ſpeak of Peerage, pray take notice that I mean both Lords Spiritual and Temporal, ſince they ſtand both upon the ſame foot of Property. But if you pleaſe, I will fall immediately to Diſcourſe of the Government of *England*, and ſay no more of thoſe of our Neighbours, than what will fall in by the way, or be hinted to me by your Demands, for the time runs away, and I know the *Doctor* muſt be at home by noon, where he gives daily charitable audience to an Infinity of poor people, who have need of his help, and who ſend or come for it, not having the confidence to ſend for him, ſince they have nothing to give him, though he be very liberal too of his Viſits to ſuch, where he has any knowledge of them: But I

ſpare his Modeſty, which I ſee is concerned at the Juſt Teſtimony I bear to his Charity. The Soveraign Power of *England* then, is in King, Lords, and Commons; The Parliaments, as they are now conſtituted, that is the aſſigning a choice to ſuch a Number of Burroughs, as alſo the manner and form of Elections and Returns, did come in, as I ſuppoſe, in the time of *Henry* the Third, where now our Statute-Book begins; and I muſt confeſs, I was inclined to believe, that before that time, our Yeomenry or Commonalty had not formally aſſembled in Parliament, but been virtually included, and repreſented by the Peers, upon whom they depended: But I am fully convinced, that it was otherwiſe, by the learned Diſcourſes lately publiſht by Mr. *Petit* of the *Temple*, and Mr. *Attwood* of *Grays-Inn*, being Gentlemen whom I do mention *honoris cauſa*, and really they deſerve to be honour'd, that they will ſpare ſome time from the Mechanical part of their Callings (which is to aſſiſt Clients with Counſel, and to plead their Cauſes, and which I acknowledge likewiſe to be

honourable) to ſtudy the true Intereſt of their Country, and to ſhew how ancient the Rights of the People in *England* are, and that in a time when neither Profit nor Countenance can be hop'd for from ſo ingenious an undertaking. But I beg pardon for the deviation. Of the three branches of Soveraign Power which Politicians mention, which are Enacting Laws, Levying of Taxes, and making War and Peace, the two firſt of them are indiſputably in the Parliament, and when I ſay Parliament, I ever intend with the King; The laſt has been uſually exercis'd by the Prince, if he can do it with his own Money, yet becauſe even in that Caſe it may be ruinous to the Kingdom, by expoſing it to an Invaſion, many have affirmed that ſuch a Power cannot be by the true and ancient free Government of *England*, ſuppoſed to be Intruſted in the hands of one man: And therefore we ſee in divers Kings Reigns, the Parliament has been Conſulted, and their advice taken in thoſe matters that have either concerned War or Leagues; And that if it has been omitted, Addreſſes have been made

made to the King by Parliaments, either to make War or Peace, according to what they thought profitable to the publick. So that I will not determine whether that power which draws such consequences after it, be by the genuine sence of our Laws in the Prince or no; although I know of no Statute or written Record which makes it otherwise. That which is undoubtedly the Kings Right, or Prerogative, is to Call and Dissolve Parliaments, to preside in them, to approve of all Acts made by them, and to put in Execution, as Supream or Soveraign Magistrate, in the Intervals of Parliaments, and during their Sitting, all Laws made by them, as also the Common Law, for which Cause he has the nomination of all Inferiour Officers, and Ministers under him, excepting such as by Law or Charter are eligible otherwise; and the Power of the Sword, to force Obedience to the Judgments given both in Criminal and Civil Causes.

Doct. Sir, You have made us a very absolute Prince, what have we left us, if the King have all this Power? what do our Liberties or Rights signifie whenever he pleases?

Eng.

Eng. Gent. This Objection, *Doctor*, makes good what I ſaid before, that your skill did not terminate in the body natural, but extend to the Politick; for a more pertinent Interrogatory could never have been made by *Plato*, or *Ariſtotle*: In anſwer to which, you may pleaſe to underſtand, That when theſe Conſtitutions were firſt made, our Anceſtors were a plain hearted, well-meaning People, without Court-reſerves or tricks, who having made choice of this ſort of Government, and having Power enough in their hands to make it take place, did not foreſee, or imagine, that any thoughts of Invading their Rights could enter into the Princes Head; nor do I read that it ever did, till the *Norman* Line came to Reign; which coming in by Treaty, it was obvious there was no Conqueſt made upon any but *Harold*, in whoſe ſtead *William* the Firſt came, and could claim no more after his Victory, than what *Harold* enjoy'd, excepting that he might confiſcate (as he did) thoſe great men who took part with the wrong Title, and *French-men* were put into their Eſtates, which though

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it made in this Kingdom a mixture between *Normans* and *Saxons*, yet produced no Change or Innovation in the Government; the *Norman* Peers being as tenacious of their Liberties, and as active in the recovery of them to the full, as the *Saxon* Families were. Soon after the death of *William*, and possibly in his time, there began some Invasions upon the Rights of the Kingdom, which begat Grievances, and afterwards Complaints and Discontents, which grew to that height, that the Peers were fain to use their Power, that is, Arm their Vassals to defend the Government; whilest the Princes of that Age, first King *John*, and then *Henry* the Third, got Force together. The Barons call'd in *Lewis* the Dauphin, whilst the King would have given away the Kingdom to the *Sarazens*, as he did to the Pope, and armed their own Creatures; so that a bloody War ensued, for almost forty years, off and on; as may be read in our History: The success was, that the Barons or Peers obtained in the close two Charters or Laws for the ascertaining their Rights, by which neither their Lives

Lives, Liberties, or Eſtates, could ever be in danger any more from any Arbitrary Power in the Prince; and ſo the good Government of *England*, which was before this time like the Law of Nature, only written in the hearts of Men, came to be expreſt in Parchment, and remain a Record in Writing; though theſe Charters gave us no more than what was our own before: After theſe Charters were made, there could not chuſe but happen ſome encroachment upon them; but ſo long as the Peers kept their greatneſs, there was no breaches but what were immediately made up in Parliament; which when-ever they aſſembled, did in the firſt place confirm the Charters, and made very often Interpretations upon them, for the benefit of the People, witneſs the Statute *de Tallagio non concedendo*, and many others: But to come nearer the giving the *Doctor* an anſwer, you may pleaſe to underſtand, that not long after the framing of theſe forementiond Charters, there did ariſe a Grievance not foreſeen or provided for by them; and it was ſuch an one that had beaten down

down the Government at once, if it had not been Redreſſed in an Orderly way. This was the Intermiſſion of Parliaments, which could not be called but by the Prince; and he not doing of it, they ceaſt to be Aſſembled for ſome years; if this had not been ſpeedily remedied, the Barons muſt have put on their Armour again; for who can Imagine that ſuch brisk Aſſertors of their Rights could have acquieſced in an Omiſſion that ruin'd the Foundation of the Government, which conſiſting of King, Lords, and Commons, and having at that time Marched near Five hundred years upon three Leggs, muſt then have gone on hopping upon one, which could it have gone forward (as was impoſſible whileſt Property continued where it was) yet would have rid but a little way: Nor can it be wonder'd at, that our great Men made no proviſion againſt this Grievance in their Charters, becauſe it was impoſſible for them to imagine that their Prince, who had ſo good a ſhare in this Government, ſhould go about to deſtroy it, and to take that burden upon himſelf, which

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by our Conſtitution was undeniably to be divided between him and his Subjects: And therefore divers of the great Men of thoſe times ſpeaking with that excellent Prince King *Edward* the Firſt about it, he, to take away from his People all fear and apprehenſion that he intended to change the Ancient Government, called ſpeedily a Parliament, and in it conſented to a Declaration of the Kingdoms Right in that point; without the clearing of which all our other Laws had been uſeleſs, and the Government it ſelf too; of which the Parliament is (at the leaſt) as Eſſential a part as the Prince; ſo that there paſſed a Law in that Parliament that one ſhould be held every year, and oftner if need be, which like another *Magna Charta*, was confirmed by a new Act made in the time of *Edward* the Third, that glorious Prince: nor were there any Sycophants in thoſe days, who durſt pretend Loyalty by uſing Arguments to prove, that it was againſt the Royal Prerogative, for the Parliament to entrench upon the Kings Right of calling and Diſſolving of Parliaments; as if there were a Prerogative

rogative in the Crown, to chuſe whether ever a Parliament ſhould aſſemble, or no; I would deſire no more, if I were a Prince, to make me Grand Seignior. Soon after this laſt Act, the King, by reaſon of his Wars with *France*, and *Scotland*, and other great Affairs, was forced ſometimes to end his Parliaments abruptly, and leave buſineſs undone, (and this not out of Court-tricks, which were then unknown) which produced another Act not long after, by which it was provided, That no Parliament ſhould be diſmiſt, till all the Petitions were anſwered; That is, in the Language of thoſe times, till all the Bills (which were then ſtyled Petitions) were finiſhed.

Doct. Pray, Sir, give me a little account of this laſt Act you ſpeak of; for I have heard in Diſcourſe from many Lawyers, that they believe there is no ſuch.

Eng. Gent. Truly, Sir, I ſhall confeſs to you, that I do not find this Law in any of our Printed Statute-Books; but that which firſt gave me the knowledge of it was, what was ſaid about three

three years ago in the Houſe of Commons, by a worthy and Learned Gentleman, who undertook to produce the Record in the Reign of *Richard* the Second, and ſince I have queſtioned many Learned Counſellors about it, who tell me there is ſuch a one; and one of them, who is counted a Prerogative Lawyer, ſaid it was ſo, but that Act was made in Factious times. Beſides, I think it will be granted, that for ſome time after, and particularly in the Reigns of *Henry* the *4th. Henry* the *5th.* and *Henry* the *6th.* it was uſual for a Proclamation to be made in *Weſtminſter-Hall*, before the end of every Seſſion, that all thoſe that had any matter to preſent to the Parliament, ſhould bring it in before ſuch a day, for otherwiſe the Parliament at that day ſhould determine. But if there were nothing at all of this, nor any Record extant concerning it; yet I muſt believe that it is ſo by the Fundamental Law of this Government, which muſt be lame and imperfect without it; for it is all one to have no Parliaments at all but when the Prince pleaſes, and to allow a power in him

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to diſmiſs them when he will, that is, when they refuſe to do what he will; ſo that if there be no Statute, it is certainly becauſe our wiſe Anceſtors thought there needed none, but that by the very Eſſence and Conſtitution of the Government it is provided for: and this we may call (if you had rather have it ſo) the Common-Law, which is of as much value (if not more) then any Statute, and of which all our good acts of Parliament and *Magna Charta* it ſelf is but Declaratory; ſo that your Objection is ſufficiently anſwered in this, That though the King is intruſted with the formal part of ſummoning and pronouncing the Diſſolution of Parliaments, which is done by his Writ, yet the Laws (which oblige him as well as us) have determin'd how and when he ſhall do it; which is enough to ſhew, that the Kings ſhare in the Soveraignty, that is, in the Parliament, is cut out to him by the Law, and not left at his diſpoſal. Now I come to the Kings part in the Intervals of Parliament.

Noble Ven. Sir, before you do so, pray tell us what other Prerogatives the King enjoys in the Government; for otherwise, I who am a *Venetian*, may be apt to think that our Doge, who is call'd our Prince, may have as much Power as yours.

Eng. Gent. I am in a fine condition amongst you with my Politicks: the *Doctor* tells me I have made the King Absolute, and now you tell me I have made him a Doge of *Venice*; But when your Prince has Power to dispose of the Publick Revenue, to name all Officers Ecclesiastical and Civil, that are of trust and profit in the Kingdome, and to dispose absolutely of the whole Militia by Sea and Land, then we will allow him to be like ours, who has all these Powers.

Doct. Well, you puzle me extreamly; for when you had asserted the King's Power to the heighth, in Calling and Dissolving Parliaments, you gave me such satisfaction, and shewed me where in the Law had provided, that this vast Prerogative could not hurt the People, that I was fully satisfied, and had not a word to say; Now you come about again, and

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place in the Crown such a Power, which in my Judgment is inconsistent with our Liberty.

Eng. Gent. Sir, I suppose you mean chiefly the Power of the Militia, which was, I must confess, doubtful, before a late Statute declar'd it to be in the King: For our Government hath made no other disposal of the Militia than what was natural, *viz.* That the Peers in their several Counties, or Jurisdictions, had the Power of calling together their Vassals, either armed for the Wars, or only so as to cause the Law to be executed by serving Writs, and in case of resistance, giving possession: which Lords amongst their own Tenants did then perform the two several Offices of Lord Lieutenant, and Sheriff; which latter was but the Earles Deputy, as by his Title of *Vice-Comes* do's appear. But this later being of daily necessity, and Justice it self, that is, the Lives, Liberties and Estates of all the People in that County depending upon it, when the greatness of the Peers decay'd (of which we shall have occasion to speak hereafter) the Electing of Sheriff was referred to the

County-Court, where it continued till it was placed where it now is by a Statute; for the other part of the Militia, which is, the Arming the People for War, it was *de facto* exercised by Commission from the King, to a Lord Lieutenant (as an image of the Natural Lord) and other Deputies, and it was tacitely consented to, though it were never setled by Statute (as I said before) till His Majesties happy Restauration; but to answer you, I shall say, That whatever Powers are in the Crown, whether by Statute or by old Prescription, they are, and must be understood to be intrusted in the Prince, for the preservation of the Government, and for the safety and interest of the People; and when either the Militia, which is given him for the execution and support of the Law, shall be imploy'd by him to subvert it (as in the case of Ship-Money it was) or the Treasure shall be mis-apply'd, and made the Revenue of Courtiers and Sycophants (as in the time of *Edward* the Second) or worthless or wicked People shall be put into the greatest places, as in the reigne of *Richard* the Second. In this case, though

though the Prince here cannot be queſtionable for it (as the Kings were in *Sparta*, and your Doges I believe would be) yet it is a great violation of the truſt repoſed in him by the Government, and a making that Power, which is given him by Law, unlawful in the Execution. And the frequent examples of Juſtice inflicted in Parliament upon the King's Miniſters for abuſing the Royal Power, ſhews plainly that ſuch authority is not left in his hands to uſe as he pleaſes; Nay, there have befallen ſad troubles and dangers to ſome of theſe Princes themſelves, who have abuſed their Power to the prejudice of the Subjects; which although they are no way juſtifiable, yet may ſerve for an Inſtruction to Princes, and an example not to hearken to ruinous Councils; for men when they are enraged do not always conſider Juſtice of Religion, paſſion being as natural to man as reaſon and vertue, which was the Opinion of divine *Machiavil:* To anſwer you then, I ſay, That though we do allow ſuch Powers in the King, yet ſince they are given him for edification and not de-

ſtruction, and cannot be abuſed without great danger to his Miniſters, and even to himſelf; we may hope that they can never be abuſed but in a broken Government: And if ours be ſo (as we ſhall ſee anon) the fault of the ill execution of our Laws is not to be imputed either to the Prince or his Miniſters; excepting that the latter may be as we ſaid before juſtly puniſhable for not adviſing the Prince to conſent to the mending the frame, of which we ſhall talk more hereafter: But in the mean time I will come to the Kings other Prerogatives, as having all Royal Mines, the being ſerv'd firſt before other Creditors where Money is due to him, and to have a ſpeedier and eaſier way then his Subjects to recover his Debts and his Rents, &c. But to ſay all in one word, when there ariſes any doubt whether any thing be the King's Prerogative or no, this is the way of deciding it, *viz.* To conſider whether it be for the good and protection of the People that the King have ſuch a Power; For the definition of Prerogative is a conſiderable part of the Common Law, by which

Power

Power is put into the Prince for the preſervation of his People. And if it be not for the good of his Subjects, it is not Prerogative, not Law, for our Prince has no Authority of his own, but what was firſt intruſted in him by the Government, of which he is Head; nor is it to be imagined that they would give him more Power than what was neceſſary to Govern them; For example, the Power of pardoning Criminals condemned, is of ſuch uſe to the Lives and Eſtates of the People, that without it many would be expoſed to die unjuſtly; As lately a poor Gentleman, who by means of the Harangue of a Strepitous Lawyer, was found guilty of Murder, for a Man he never kil'd, or if he had, the fact had been but Man-ſlaughter; and he had been inevitably murdered himſelf, if his Majeſty had not been graciouſly pleaſed to extend his Royal Mercy to him; As he did likewiſe vouchſafe to do to a Gentleman convicted for ſpeaking words he never utter'd, or if he had ſpoken them, they were but fooliſhly, not malitiouſly ſpoken. On the other ſide, if a Controverſie ſhould ariſe, as it did in the

beginning of the laſt Parliament, between the Houſe of Commons and the Prerogative Lawyers, about the choice of their Speaker, theſe latter having intereſted his Majeſty in the Conteſt, and made him, by conſequence, diſoblige *in limine*, a very Loyal, and a very Worthy Parliament; and for what? for a Queſtion, which if you will decide it the right way, will be none: for ſetting aſide the Preſidents, and the Hiſtory when the Crown firſt pretended to any ſhare in the Choice of a Speaker, which Argument was very well handled by ſome of the Learned Patriots then, I would have leave to ask, what man can ſhew, and what reaſon can be alledged, why the protection and welfare of the People ſhould require that a Prerogative ſhould be in the Prince to chuſe the Mouth of the Houſe of Commons, when there is no particular perſon in his whole Dominion that would not think it againſt his intereſt? If the Government had given the King Power to nominate his Bayliff, his Attorney, or his Referree in any arbitration, certainly there can be no advantage either to the Soveraign or his

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Subjects, that the person whose Office it is to put their deliberations into fitting words, and express all their requests to his Majesty, should not be entirely in their own Election and appointment, which there is the more reason for too, because the Speakers for many years past have received Instructions from the Court, and have broken the Priviledges of the House, by revealing their Debates, Adjourning them without a Vote, and committed many other Misdemeanours, by which they have begotten an ill understanding between the King and his House of Commons, to the infinite prejudice both of his Majesties Affairs, and his People. Since I have given this rule to Judge Prerogative by, I shall say no more of it; for as to what concerns the King's Office in the Intervals of Parliament, it is wholly Ministerial, and is barely to put in Execution the Common Law and the Statutes made by the Soveraign Power, that is, by Himself and the Parliament, without varying one tittle, or suspending, abrogating, or neglecting the Execution of any Act whatsoever; and

and to this he is Solemnly Sworn at his Coronation: And all his Power in this behalf is in him by Common Law, which is Reaſon it ſelf, written as well in the hearts of rational Men, as in the Lawyers Books.

Noble Ven. Sir, I have heard much talk of the King's Negative Voice in Parliaments, which in my Opinion is as much as a Power to fruſtrate, when he pleaſes, all the endeavours and labours of his People, and to prevent any good that might acrue to the Kingdom by having the right to meet in Parliament; for certainly, if we in *Venice* had placed any ſuch Prerogative in our Duke, or in any of our Magiſtracies, we could not call our ſelves a free People.

Eng. Gent. Sir, I could anſwer you as I did before, that if our Kings have ſuch a Power, it ought to be uſed according to the true and genuine intent of the Government, that is, for the preſervation and Intereſt of the People, and not for the diſappointing the Councils of a Parliament, towards reforming Grievances, and making proviſion for the future execution of the Laws; and when-

whenever it is applyed to fruſtrate thoſe ends, it is a violation of Right, and infringement of the King's Coronation Oath; in which there is this Clauſe, That he ſhall *Confirmare conſuetudines*, (which in the Latine of thoſe times is *leges*) *quas vulgus elegerit*. I know ſome Criticks, who are rather Grammarians than Lawyers, have made a diſtinction between *elegerim* and *elegero*, and will have it, That the King Swears to ſuch Laws as the People ſhall have choſen, and not to thoſe they ſhall chuſe; But in my Opinion, if that Clauſe had been intended only to oblige the King to execute the Laws made already, it might have been better expreſt by *ſervare conſuetudines*, than by *confirmare conſuetudines*; but I ſhall leave this Controverſie undecided; thoſe who have a deſire to ſee more of it, may look into thoſe quarrelling Declarations, *pro* and *con*, about this matter, which preceded our unhappy Civil Wars. This is certain, that there are not to be found any Statutes that have paſſed, without being preſented to his Majeſty, or to ſome comiſſioned by him; but whether ſuch Addreſſes

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were intended for Reſpect and Honour to His Majeſty, as the Speaker of the Houſe of Commons and the Lord-Mayor of *London* are brought to him, I leave to the Learned to Diſcourſe; only thus much we may affirm, That there never were yet any Parliamentary Requeſts, which did highly concern the Publick, preſented to his Majeſty, and by him refuſed, but ſuch denials did produce very diſmal effects, as may be ſeen in our Hiſtories ancient and late; it being certain, that both the Barons Wars, and our laſt diſmal Combuſtions, proceeded from no other cauſe than the denial of the Princes then reigning to conſent to the deſires of the States of the Kingdom; and ſuch hath been the wiſdom and goodneſs of our preſent gracious Prince, that in twenty years and ſomewhat more, for which time we have enjoy'd him ſince his happy Reſtauration, he hath not exercis'd his Negative Voice towards more than one publick Bill; and that too, was to have continued in force (if it had paſſed into an Act) but for ſix Weeks, being for raiſing the Militia for ſo long time; and as for private Bills, which

are matters of meer grace, it is unreasonable his Majesty should be refused that Right that every *Englishman* enjoys, which is not to be obliged to dispence his favours but where he pleases. But for this point of the Negative Vote, it is possible that when we come to Discourse of the Cure of our Political Distemper, some of you will propose the clearing and explanation of this matter, and of all others which may concern the King's Power and the Peoples Rights.

Noble Ven. But pray, Sir, have not the House of Peers a Negative Voice in all Bills? how come they not to be obliged to use it for the Publick Good?

Eng. Gent. So they are, no doubt, and the Commons too; but there is a vast difference between a deliberative Vote which the Peers have with their Negative, and that in the Crown to blast all without deliberating. The Peers are Co-ordinate with the Commons in presenting and hammering of Laws, and may send Bills down to them as well as receive any from them, excepting in matters wherein the People are to be Taxed; and in this our Government imitates

imitates the beſt and moſt perfect Commonwealths that ever were; where the Senate aſſiſted in the making of Laws, and by their wiſdom, and dexterity, poliſht, filed and made ready, things for the more populous Aſſemblies; and ſometimes by their gravity and moderation, reduced the People to a calmer State, and by their authority and credit ſtem'd the Tide, and made the Waters quiet, giving the People time to come to themſelves. And therefore if we had no ſuch Peerage now upon the old Conſtitution, yet we ſhould be neceſſitated to make an artificial Peerage, or Senate in ſtead of it: which may aſſure our preſent Lords, that though their Dependences and Power are gone, yet that we cannot be without them, and that they have no need to fear an Annihilation by our Reformation, as they ſuffered in the late mad times. But I ſhall ſpeak a word of the Peoples Rights, and then ſhew how this brave and excellent Government of *England* came to decay.

The People by the Fundamental Laws, that is, by the Conſtitution of the Government of *England*, have entire free-

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dome in their Lives, Properties, and their Perſons; neither of which can in the leaſt ſuffer, but according to the Laws already made, or to be made hereafter in Parliament, and duly publiſht, and to prevent any oppreſſion that might happen in the execution of theſe good Laws, which are our Birth-right, all Tryals muſt be by twelve Men of our equals, and of our Neighbourhood; Theſe in all Civil Cauſes Judge abſolutely, and decide the matter of Fact, upon which the matter of Law depends; but if where matter of Law is in queſtion, theſe twelve Men ſhall refuſe to find a ſpecial Verdict at the direction of the Court, the Judge cannot Controll it, but their Verdict muſt be Recorded. But of theſe matters, as alſo of Demurrers, Writs of Errour, and Arreſt of Judgment, &c. I have diſcours'd to this Gentleman (who is a Stranger) before now; neither do's the underſtanding of the Execution of our Municipal Laws at all belong to this diſcourſe: Only it is to be noted, that theſe Juries, or twelve Men, in all Trials or Cauſes which are Criminal, have abſolute Power, both as to matter

matter of Law and Fact (except the Party by Demurrer confeſs the matter of Fact, and take it out of their hands.) And the firſt queſtion the Officer asks the Foreman, when they all come in to deliver their Verdict, is this, Is he Guilty in manner or form as he is Indicted, or not Guilty? Which ſhews plainly, that they are to Examine and Judge, as well whether, and how far the Fact commited is Criminal, as whether the perſon charged hath commited that Fact. But though by the Corruption of theſe times (the infallible conſequences of a broken frame of Government) this Office of the Juries and Right of *Engliſhmen* have been of late queſtion'd, yet it hath been ſtrongly and effectually vindicated by a learned Author of late, to whom I refer you for more of this matter. I ſhall ſay no more of the Rights of the People, but this one thing, That neither the King, nor any by Authority from him, hath any the leaſt Power or Juriſdiction over any *Engliſhman*, but what the Law gives them; and that although all Commiſſions and Writs go out in the King's name, yet his Majeſty hath no right to Iſſue out

out any Writ (with advice of his Council, or otherwiſe) excepting what come out of his Courts, nor to alter any Clauſe in a Writ, or add any thing to it. And if any perſon ſhall be ſo wicked as to do any Injuſtice to the Life, Liberty, or Eſtate, of any *Engliſhman*, by any private command of the Prince, the perſon agrieved, or his next of kin (if he be aſſaſſinated) ſhall have the ſame remedy againſt the Offender, as he ought to have had by the good Laws of this Land; if there had been no ſuch Command given, which would be abſolutely void and null, and underſtood, not to proceed from that Royal and lawful Power which is veſted in his Majeſty for the execution of Juſtice, and the protection of his People.

Doct. Now I ſee you have done with all the Government of *England*, pray before you proceed to the decay of it, let me ask you what you think of the Chancery, whether you do not believe it a Soleciſme in the Politicks to have ſuch a Court amongſt a free People; what good will *Magna Charta*, the Petition of Right, or St. *Edwards*

Laws do us to defend our Property; if it muſt be entirely ſubjected to the arbitrary diſpoſal of one man, whenever any impertinent or petulant perſon ſhall put in a Bill againſt you: how inconſiſtent is this Tribunal with all that hath been ſaid in defence of our rights, or can be ſaid? Suppoſe the Prince ſhould in time to come ſo little reſpect his own honour and the Intereſt of his People, as to place a covetous or revengful perſon in that great Judicatory, what remedy have we againſt the Corruption of Regiſters; who make what Orders they pleaſe: Or againſt the whole Hierarchy of Knaviſh Clearks, whilſt not only the puniſhing and reforming miſdemeanours depend upon him, who may without control be the moſt guilty himſelf, but that all the Laws of *England* ſtand there arraigned before him, and may be condemned when he pleaſes. Is there, or ever was there any ſuch Tribunal in the World before, in any Country?

Eng. Gent. Doctor, I find you have had a Suit in Chancery, but I do not intend to contradict or blame your Orthodox Zeal in this point: This Court

is one of those Buildings that cannot be repaired, but must be demollished; I could inform you how excellently matters of Equity are Administred in other Countries; And this worthy Gentleman could tell you of the venerable *Quarantia's* in his City, where the Law as well as the Fact, is at the Bar, and subject to the Judges, and yet no complaint made or grievance suffered; but this is not a place for it, this is but the superstructure, we must settle the foundation first; every thing else is as much out of Order as this; Trade is gone, Suites are endless, and nothing amongst us harmonious, but all will come right when our Government is mended, and never before, though our Judges were all Angels; this is the *primum quærite*, when you have this, all other things shall be added unto you; when that is done, neither the Chancery (which is grown up to this since our Ancestors time) nor the Spiritual Courts, nor the Cheats in trade, nor any other abuses, no not the Gyant Popery it self, shall ever be able to stand before a Parliament, no more than one of us can live like a Salamander in the fire.

Noble Ven. Therefore, Sir, pray let us come now to the decay of your Government, that we may come the ſooner to the happy reſtauration.

Eng. Gent. This harmonious Government of *England* being founded as has been ſaid upon Property, it was impoſſible it ſhould be ſhaken, ſo long as Property remain'd where it was placed; for if, when the ancient Owners the *Britains* fled into the Mountains, and left their Lands to the Invaders (who divided them, as is above related) They had made an *Agrarian* Law to fix it; then our Government, and by conſequence our Happineſs, had been for ought we know Immortal; for our Conſtitution, as it was really a mixture of the three, which are *Monarchy*, *Ariſtocracy*, and *Democracy* (as has been ſaid) ſo the weight and predominancy remain'd in the *Optimacy*, who poſſeſſed nine parts in ten of the Lands; And the Prince but about a tenth part. In this I count all the Peoples ſhare to the Peers, and therefore do not trouble my ſelf to enquire what proportion was allotted to them, for that although they had an Hereditary right in their

their Lands, yet it was ſo clog'd with Tenures and Services, that they depended, as to publick matters, wholly on their Lords, who by them could ſerve the King in his Wars, and in time of Peace, by leading the People to what they pleaſed: Could keep the Royal Power within its due bounds, and alſo hinder and prevent the People from Invading the Rights of the Crown, ſo that they were the Bulwarks of the Government, which in effect was much more an *Ariſtocracy*, than either a *Monarchy*, or *Democracy*: And in all Governments, where Property is mixt, the Adminiſtration is ſo too: And that part which hath the greater ſhare in the Lands, will have it too in the Juriſdiction: And ſo in Commonwealths, the Senate or the People have more or leſs Power, as they have more or fewer Poſſeſſions; as was moſt viſible in *Rome*, where in the beginning, the *Patricii* could hardly bring the People to any thing; but afterwards, when the *Aſiatick* Conqueſts had inricht the Nobility to that degree, that they were able to purchaſe a great part of the Lands in *Italy*, the People were all their Clients,

and easily brought even to cut the throats of their Redeemers the *Gracchi*, who had carried a Law for restoring them their Lands, but enough of this before. I will not trouble my self nor you, to search into the particular causes of this change, which has been made in the possessions here in *England*; But it is visible that the fortieth part of the Lands, which were at the beginning in the hands of the Peers and Church, is not there now; besides, that not only all Villanage is long since abolished, but the other Tenures are so altered and qualified, that they signifie nothing towards making the Yeomandry depend upon the Lords. The consequence is, That the natural part of our Government, which is Power, is by means of Property in the hands of the People, whilest the artificial part, or the Parchment, in which the Form of Government is written, remains the same. Now Art is a very good servant and help to Nature, but very weak and inconsiderable, when she opposes her, and fights with her; it would be a very *Impar congressus*, between Parchment and Power: This alone is the cause of all the disorder

you

you heard of, and now ſee in *England*, and of which every man gives a reaſon according to his own fancy, whileſt few hit the right cauſe; ſome impute all to the decay of Trade, others to the growth of Popery, which are both great Calamities, but they are Effects, and not Cauſes; And if in private Families there were the ſame cauſes, there would be the ſame effects. Suppoſe now you had five or ſix Thouſand pounds a year, as it is probable you have, and keep forty Servants, and at length, by your neglect and the induſtry and thrift of your Domeſticks, you ſell one Thouſand to your Steward, another to your Cleark of the Kitchin, another to your Bayliff, till all were gone, can you believe that theſe Servants, when they had ſo good Eſtates of their own, and you nothing left to give them, would continue to live with you, and to do their ſervice as before? It is juſt ſo with a whole Kingdom. In our Anceſtors time, moſt of the Members of our Houſe of Commons, thought it an honour to retain to ſome great Lord, and to wear his blew Coat: And when they had made up their Lord's

Train, and waited upon him from his own Houſe to the Lords Houſe, and made a Lane for him to enter, and departed to ſit themſelves in the Lower Houſe of Parliament, as it was then (and very juſtly) called; can you think that any thing could paſs in ſuch a Parliament that was not ordered by the Lords? Beſides, theſe Lords were the King's great Council in the Intervals of Parliaments, and were called to adviſe of Peace and War, and the latter was ſeldom made without the conſent of the major part; if it were not, they would not ſend their Tenants, which was all the Militia of *England* (beſides the King's tenth part;) can it be believed, that in thoſe days, the Commons ſhould diſlike any thing the Lords did in the Intervals, or that they would have diſputed their Right to receive Appeals from Courts of Equity, if they had pretended to it in thoſe days, or to mend Money-bills. And what is the reaſon, but becauſe the Lords themſelves at that time repreſented all their Tenants (that is, all the People) in ſome ſort; although the Houſe of Commons did Aſſemble to preſent their Grievances, yet

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all great Affairs of high Importance concerning the Government, was Transacted by the Lords, and the War which was made to preserve it, was called the Barrons Wars, not the War of both Houses: Now if this Property, which is gone out of the Peerage into the Commons, had passed into the King's hands, as it did in *Egypt* in the time of *Joseph*, as was before said, the Prince had had a very easie and peaceable reign over his own Vassals, and might either have refused, justly, to have Assembled the Parliament any more; or if he had pleased to do it, might have for ever managed it as he thought fit: But our Princes have wanted a *Joseph*, that is a wise Counsellor, and instead of saving their Revenue, which was very great, and their expences small, and buying in those Purchases which the vast expences and luxury of the Lords made ready for them, they have alienated their own Inheritance; so that now the Crown Lands, that is, the publick Patrimony, is come to make up the interest of the Commons, whilest the King must have a precarious Revenue out of the Peoples Purses, and be beholding to the Parliament

ment for his Bread in time of Peace; whereas the Kings their Predeceſſors never asked Aid of his Subjects, but in time of War and Invaſion: And this alone (though there were no other decay in the Government) is enough to make the King depend upon his People, which is no very good condition for a Monarchy.

Noble Ven. But how comes it to paſs that other Neighbouring Countries are in ſo ſetled a State in reſpect of *England*? does their Property remain the ſame it was, or is it come into the hands of the Prince? You know you were pleaſed to admit, that we ſhould ask you *en paſſant*, ſomething of other Countries.

Eng. Gent. Sir, I thank you for it, and ſhall endeavour to ſatisfie you. I ſhall ſay nothing of the ſmall Princes of *Germany*, who keep in a great meaſure their ancient bounds, both of Government and Property; and if their Princes now and then exceed their part, yet it is in time of Troubles and War, and things return into their right Chanel of Aſſembling the ſeveral States, which are yet in being every where: But *Germany* ly in

ing so exposed to the Invasion of the *Turk* on the one side, and of the *French* on the other; and having ever had enough to do to defend their several Liberties against the encroachments of the House of *Austria* (in which the Imperial dignity is become in some sort Hereditary) if there hath been something of extraordinary Power exercised of late years, I can say *Inter arma silent leges*, but besides their own particular States, they have the Diet of the Empire, which never fails to Mediate and Compose things, if there be any great oppression used by Princes to their Subjects, or from one Prince or State to another. I shall therefore confine my self to the three great Kingdoms, *France*, *Spain*, and *Poland*; for as to *Denmark* and *Sweden*, the first hath lately chang'd its Government, and not only made the Monarchy Hereditary, which was before Elective, but has pull'd down the Nobility, and given their Power to the Prince; which how it will succeed time will shew. *Sweden* remains in point of Constitution and Property exactly as it did anciently, and is a well Governed Kingdom. The first of the other

ther three is *France*, of which I have ſpoken before, and ſhall only add, That though it be very true, that there is Property in *France*, and yet the Government is Deſpotical at this preſent, yet it is one of thoſe violent States, which the *Grecians* called Tyrannies: For if a Lawful Prince, that is one who being ſo by Law, and ſworn to rule according to it, breaks his Oaths and his Bounds, and reigns Arbitrarily, he becomes a Tyrant and an Uſurper, as to ſo much as he aſſumes more than the Conſtitution hath given him; and ſuch a Government, being as I ſaid violent, and not natural, but contrary to the Intereſt of the People, firſt cannot be laſting, when the adventitious props which ſupport it fail; and whilſt it does endure muſt be very uneaſie both to Prince and People; the firſt being neceſſitated to uſe continual oppreſſion, and the latter to ſuffer it.

Doct. You are pleaſed to talk of the oppreſſion of the People under the King of *France*, and for that reaſon, call it a violent Government, when, if I remember, you did once to day extoll the Monarchy of the *Turks* for well founded and natural;

natural; Are not the People in that Empire as much oppreſſed as in *France*?

Eng. Gent. By no means; unleſs you will call it oppreſſion for the Grand Seignior to feed all his People out of the product of his own Lands; and though they ſerve him for it, yet that does not alter the Caſe, for if you ſet poor men to work and pay them for it, are you a Tyrant, or rather, are not you a good Commonwealths-man, by helping thoſe to live, who have no other way of doing it but by their labour? But the King of *France* knowing that his People have, and ought to have Property, and that he has no right to their Poſſeſſions, yet takes what he pleaſes from them, without their conſent, and contrary to Law; So that when he ſets them on work he pays them what he pleaſes, and that he levies out of their own Eſtates. I do not affirm that there is no Government in the World, but where Rule is founded in Property, but I ſay there is no natural fixed Government, but where it is ſo; and when it is otherwiſe, the People are perpetually complaining, and the King in perpetual anxiety, always in fear of his Sub-

Subjects, and seeking new ways to secure himself; God having been so merciful to mankind, that he has made nothing safe for Princes, but what is Just and Honest.

Noble Ven. But you were saying just now, that this present Constitution in *France* will fall when the props fail; we in *Italy*, who live in perpetual fear of the greatness of that Kingdom, would be glad to hear something of the decaying of those props; What are they, I beseech you?

Eng. Gent. The first is the greatness of the present King, whose heroick Actions and Wisdom has extinguished envy in all his Neighbour Princes, and kindled fear, and brought him to be above all possibility of control at home; not only because his Subjects fear his Courage, but because they have his Vertue in admiration, and amidst all their miseries cannot chuse but have something of rejoycing, to see how high he hath mounted the Empire and Honour of their Nation. The next prop is the change of their ancient Constitution, in the time of *Charles* the seventh by Consent, for about that time the

the Country being ſo waſted by the Invaſion and Excurſions of the *Engliſh*; The States then aſſembled Petitioned the King that he would give them leave to go home, and diſpoſe of Affairs himſelf, and Order the Government for the future as he thought fit: Upon this, his Succeſſor *Lewis* the Eleventh, being a crafty Prince, took an occaſion to call the States no more, but to ſupply them with an *Aſſemble des notables*, which were certain men of his own nomination, like *Barbones* Parliament here, but that they were of better quality: Theſe in ſucceeding reigns (being the beſt men of the Kingdom) grew Troubleſome and Intractable; ſo that for ſome years the Edicts have been verified (that is in our Language) Bills have been paſſed in the Grand Chamber of the Parliament at *Paris*, commonly called the *Chambre d' audience*, who lately, and ſince the Impriſonment of Preſident *Brouſelles* and others during this King's Minority, have never refuſed or ſcrupled any Edicts whatſoever. Now when-ever this great King dies, and the States of the Kingdom are reſtored, theſe two great props of Arbitrary

Power

Power are taken away. Beſides theſe two, the Conſtitution of the Government of *France* it ſelf, is ſomewhat better fitted than ours to permit extraordinary Power in the Prince, for the whole People there poſſeſſing Lands, are Gentlemen; that is, infinitely the greater part, which was the reaſon why in their Aſſembly of Eſtates, the Deputies of the Provinces (which we call here Knights of the Shire) were choſen by, and out of the Gentry, and ſate with the Peers in the ſame Chamber, as repreſenting the Gentry only, called *petite nobleſſe*. Whereas our Knights here (whatever their blood is) are choſen by Commoners, and are Commoners, our Laws and Government taking no notice of any Nobility but the perſons of the Peers, whoſe Sons are likewiſe Commoners, even their eldeſt, whileſt their Father lives: Now Gentry are ever more tractable by a Prince, than a wealthy and numerous Commonalty; out of which our Gentry (at leaſt thoſe we call ſo) are raiſed from time to time: For when-ever either a Merchant, Lawyer, Tradeſman, Grafier, Farmer, or any other get ſuch an Eſtate,

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as that he or his Son can live upon his Lands, without exerciſing of any other Calling, he becomes a Gentleman. I do not ſay, but that we have Men very Nobly deſcended amongſt theſe, but they have no preheminence, or diſtinction by the Laws or Government. Beſides this, the Gentry in *France* are very needy, and very numerous; the reaſon of which is, That the Elder Brother, in moſt parts of that Kingdom, hath no more ſhare in the diviſion of the Paternal Eſtate, than the Cadets, or Younger Brothers, excepting the Principal Houſe, with the Orchards and Gardens about it, which they call *Vol de Chappon*, as who ſhould ſay, As far as a Capon can fly at once. This Houſe gives him the Title his Father had, who was called Seignior, or Baron, or Count of that place; which if he ſells, he parts with his Baronſhip, and for ought I know becomes in time *roturier*, or ignoble. This practice divides the Lands into ſo many ſmall parcels, that the Poſſeſſors of them being Noble, and having little to maintain their Nobility, are fain to ſeek their Fortune, which they can find no where ſo well as at

the Court, and ſo become the King's Servants and Souldiers, for they are generally Couragious, Bold, and of a good Meen. None of theſe can ever advance themſelves, but by their deſert, which makes them hazard themſelves very deſperately, by which means great numbers of them are kill'd, and the reſt come in time to be great Officers, and live ſplendidly upon the King's Purſe, who is likewiſe very liberal to them, and according to their reſpective merits, gives them often in the beginning of a Campagne a conſiderable ſum to furniſh out their Equipage: Theſe are a great Prop to the Regal Power, it being their Intereſt to ſupport it, leſt their gain ſhould ceaſe, and they be reduced to be poor *Provinciaux*, that is Country Gentlemen again; whereas, if they had ſuch Eſtates as our Country Gentry have, they would deſire to be at home at their eaſe, whileſt theſe (having ten times as much from the King as their own Eſtate can yield them, which ſupply muſt fail, if the King's Revenue were reduced) are perpetually engaged to make good all exorbitances.

Doct. This is a kind of Governing by Property too, and it puts me in mind of a Gentleman of good Eſtate in our Country, who took a Tenants Son of his to be his Servant, whoſe Father not long after dying, left him a Living of about ten pound a year: the young Man's Friends came to him, and asked him why he would ſerve now he had an Eſtate of his own able to maintain him: his Anſwer was, That his own Lands would yield him but a third part of what his Service was worth to him in all; beſides, that he lived a pleaſant Life, wore good Clothes, kept good Company, and had the converſation of very pretty Maids that were his Fellow-ſervants, which made him very well digeſt the name of being a Servant.

Eng. Gent. This is the very Caſe; but yet Service (in both theſe Caſes) is no Inheritance; and when there comes a Peaceable King in *France*, who will let his Neighbours be quiet, or one that is covetous, theſe fine Gentlemen will loſe their Employments, and their King this Prop; and the rather, becauſe theſe Gentlemen do not depend (as was ſaid before)

in any kind upon the great Lords (whose ſtanding Intereſt is at Court) and ſo cannot in a change, be by them carried over to advance the Court deſigns againſt their own good and that of their Country; and thus much is ſufficient to be ſaid concerning *France*. As for *Spain*, I believe there is no Country (excepting *Sweden*) in Chriſtendom, where the Property has remained ſo intirely the ſame it was at the beginning; and the reaſon is, the great and ſtrict care that is taken to hinder the Lands from paſſing out of the old owners hands; for except it be by Marriages, no man can acquire another man's Eſtate, nor can any Grandee, or Titulado, or any other Hidalgo there, alienate or engage his Paternal, or Maternal Eſtate, otherwiſe than for his Life, nor can alter Tenures, or extinguiſh Services, or diſmember Mannors, for to this the Princes conſent muſt be had, which he never gives, till the matter be debated in the *Conſejo de Camera*, which is no *Junta* or ſecret *Conſejo de Guerras*, but one wherein the great men of the Kingdom intervene, and wherein the great matters concerning the preſervation of the Go-

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vernment are tranſacted, not relating to Foreign Provinces, or Governments, but to the Kingdom of *Caſtile*, and *Leon*, of which I only ſpeak now: It is true, there have been one or two exceptions againſt this ſevere Rule, ſince the great calamities of *Spain*, and two great Lordſhips have been ſold, the *Marquiſate del Monaſtero*, to an *Aſſentiſta Genoeſe*, and another to *Sebaſtian Cortiza*, a *Portugueſe*, of the ſame Profeſſion, but both theſe have bought the intire Lordſhips, without curtailing or altering the condition in which theſe two great Eſtates were before; and notwithſtanding, this hath cauſed ſo much repining amongſt the natural *Godos* (as the *Caſtillians* call themſelves ſtill for glory) that I believe this will never be drawn into an Example hereafter: Now the Property remaining the ſame, the Government doth ſo too, and the King's Domeſtick Government, over his natural *Spaniards*, is very gentle, whatever it be in his Conquer'd Provinces; and the Kings there have very great advantages of keeping their great Men (by whom they Govern) in good temper, by reaſon of the great Govern-

ments they have to beſtow upon them, both in *Europe* and the *Indies*, which changing every three years, go in an Age through all the Grandees, which are not very numerous: Beſides, *Caſtile* having been in the time of King *Roderigo* over-run and Conquered by the *Moors*, who Governed there Deſpotically, ſome hundreds of years, before it could be recovered again by the old Inhabitants, who fled to the Mountains; When they were at length driven out, the Count of *Caſtile* found a Tax ſet upon all Commodities whatſoever, by the *Moors*, in their Reign, called *Alcavat*, which was an eaſie matter to get continued (when their old Government was reſtored) by the *Cortes*, or States, and ſo it has continued ever ſince, as the Exciſe has done here, which being impoſed by them who drove and kept out the King, does now ſince his happy Reſtauration remain a Revenue of the Crown. This *Alcavat*, or Exciſe, is a very great Revenue, and ſo prevented, for ſome time, the neceſſities of the Crown, and made the Prince have the leſs need of asking Relief of his People (the

(the ordinary cauſe of diſguſt,) ſo that the *Cortes*, or Aſſembly of the States, has had little to do of late, though they are duly aſſembled every year, but ſeldom contradict what is deſired by the Prince; for there are no greater Idolaters of their Monarch in the World than the *Caſtilians* are, nor who drink deeper of the Cup of Loyalty: ſo that in ſhort, the Government in *Spain* is as ours was in Queen *Elizabeths* time, or in the firſt year after his now Majeſties Return, when the Parliament, for a time, Complimented the Prince, who had by that means both his own Power and the Peoples, which days I hope to ſee again upon a better and more laſting Foundation. But before I leave *Spain*, I muſt ſay a word of the Kingdom of *Arragon*, which has not at all times ſo quiet a ſtate of their Monarchy as *Caſtile* hath enjoyed; for after many Combuſtions which happened there, concerning their *Fueros* and *Privilegios*, which are their Fundamental Laws, the King one day coming to his Seat in Parliament, and making his demands, as was uſual, They told him that they had a Requeſt to make

to him first, and he withdrawing thereupon, for he had no right of sitting there to hear their Debates, they fell into discourse, how to make their Government subsist against the encroachments of the Prince upon them, and went very high in their Debates, which could not chuse but come to the King's ear, who walked in a Gallery in the same Palace to expect the issue; and being in great passion was seen to draw out his Dagger very often, and thrust it again into the sheath, and heard to say, *Sangre ha de costar*, which coming to the knowledg of the Estates, they left off the Debate, and sent some of their number to him, to know what blood it should cost, and whether he meant to murder any body; he drew out his Dagger again, and pointing it to his own breast, he said, *Sangre de Reyr*, leaving them in doubt, whether he meant that his Subjects would kill him, or that he would do it himself; however, that Parliament ended very peaceably, and a famous settlement was there and then made, by which a great person was to be chosen every Parliament, who should be as it were an Umpire between the

the King and his People, for the Execution of their Laws, and the Preſervation of their Government, their *Fueros* and *Privilegios*, which are their Courts of Juſtice, and their Charters. This Officer was called, *El Juſticia d' Arragon*, and his duty was to call together the whole Power of the Kingdom, when-ever any of the aforeſaid Rights were by open force violated or invaded, and to admoniſh the King, when-ever he heard of any clandeſtine Councils among them to that effect. It was likewiſe made Treaſon, for any perſon of what quality ſoever, to refuſe to repair upon due ſummons to any place where this *Juſticia* ſhould erect his Standard, or to withdraw himſelf without leave, much more to betray him or to revolt from him: Beſides, in this *Cortes*, or Parliament, the old Oath which at the firſt Foundation of their State was ordered to be taken by the King at his admittance, was again revived, and which is in theſe words, *Nos que valemos tanto camo nos, y podemos mas, os eligimos nueſtro Rey, conque nos guardeys nueſtros fueros y Privilegios, y ſi no, no.* That is, We who are as good as you, and more

more Powerful, do chuſe you our King, upon condition that you preſerve our Rights and Priviledges, and if not, not. Notwithſtanding all this, *Philip* the Second, being both King of *Caſtile* and *Arragon*, picked a quarrel with the latter, by demanding his Secretary *Antonio Perez*, who fled from the King's diſpleaſure thither, being his own Country; and they refuſing to deliver him (it being expreſly contrary to a Law of *Arragon*, that a Subject of that Kingdom ſhould be againſt his will carried to be tryed elſewhere) the King took that occaſion to Invade them with the Forces of his Kingdom of *Caſtile*, (who had ever been Rivals and Enemies to the *Aragoneſes*) and they to defend themſelves under their *Juſticia*, who did his part faithfully and couragiouſly; but the *Caſtilians* being old Soldiers, and thoſe of *Arragon* but County Troops, the former prevailed, and ſo this Kingdom in getting that of *Caſtile* by a Marriage (but an Age before) loſt its own Liberty and Government; for it is ſince made a Province, and Governed by a Vice Roy from *Madrid*, although they keep up the formality of their *Cortes* ſtill. *Doct.*

Doct. No man living that knew the hatred and hostility that ever was between the *English* and *Scots*, could have imagined in the years 1639, and 1640. when our King was with great Armies of *English* upon the Frontiers of *Scotland*, ready to Invade that Kingdom, that this Nation would not have assisted to have brought them under; but it proved otherwise.

Eng. Gent. It may be they feared, That when *Scotland* was reduced to slavery, and the Province pacified, and Forces kept up there, That such Forces and greater might have been employed here, to reduce us into the same condition; an apprehension which at this time sticks with many of the common People, and helps to fill up the measure of our Fears and Distractions. But the visible reason why the *English* were not at that time very forward to oppress their Neighbours, was the consideration, That they were to be Invaded for refusing to receive from hence certain Innovations in matters of Religion, and the worship of God, which had not long before been introduced here, and therefore the People of this

this Kingdom were unwilling to perpetuate a Mungrel Church here, by impoſing it upon them: But I do exceedingly admire, when I read our Hiſtory, to ſee how zealous and eager our Nobility and People here were anciently to aſſert the Right of our Crown to the Kingdom of *France*; whereas it is viſible, that if we had kept *France* (for we Conquered it intirely and fully) to this day, we muſt have run the fate of *Arragon*, and been in time ruined and oppreſt by our own Valour and good Fortune; a thing that was foreſeen by the *Macedonians*, when their King *Alexander* had ſubdued all *Perſia* and the *Eaſt*; who weighing how probable it was, that their Prince having the poſſeſſion of ſuch great and flouriſhing Kingdoms, ſhould change his *Domicilium Imperii*, and inhabite in the Center of his Dominions, and from thence Govern *Macedon*, by which means the *Grecians*, who by their Vertue and Valour had Conquered and ſubdued the *Barbarians*, ſhould in time (even as an effect of their Victories) be oppreſt and tyrannized over by them, and this precautious foreſight in the *Greeks* (as was fully

fully believed in that Age) haſtened the fatal Cataſtrophe of that great Prince.

Doct. Well, I hope this conſideration will fore-arm our Parliaments, That they will not eaſily ſuffer their eyes to be dazled any more with the falſe glory of Conquering *France*.

Noble Ven. You need no great cautions againſt Conquering *France* at this preſent, and I believe your Parliaments need as little admonition againſt giving of Money towards new Wars or Alliances, that fine wheedle having lately loſt them enough already; therefore, pray, let us ſuffer our Friend to go on.

Eng. Gent. I have no more to ſay of Foreign Monarchies, but only to tell you, That *Poland* is both Governed and Poſſeſſed by ſome very great Perſons or Potentates, called *Palatines*, and under them by a very numerous Gentry; for the King is not only Elective, but ſo limited, that he has little or no Power, but to Command their Armies in time of War, which makes them often chuſe Foreigners of great Fame for Military Exploits: and as for the Commonalty or Country-men, they are abſolutely Slaves

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or Villains. This Government is extreamly confuſed, by reaſon of the numerouſneſs of the Gentry, who do not always meet by way of repreſentation as in other Kingdoms, but ſometimes for the choice of their King, and upon other great occaſions, collectively, in the Field, as the Tribes did at *Rome*, which would make things much more turbulent if all this body of Gentry did not wholly depend for their Eſtates upon the favour of the Palatines their Lords, which makes them much more tractable. I have done with our Neighbours beyond Sea, and ſhould not without your command have made ſo long a digreſſion in this place, which ſhould indeed have been treated of before we come to ſpeak of *England*, but that you were pleaſed to divert me from it before: However being placed near the Portraicture of our own Country, it ſerves better (as *contraria juxta ſe poſita*) to illuſtrate it; but I will not make this Deviation longer, by Apologizing for it; and ſhall therefore deſire you to take notice, That as in *England* by degrees Property came to ſhift from the few to the many, ſo the

the Government is grown heavier and more uneaſie both to Prince and People, the complaints more in Parliament, the Laws more numerous, and much more tedious and prolix, to meet with the tricks and malice of men, which works in a looſe Government; for there was no need to make Acts *verboſe*, when the great Perſons could preſently force the Execution of them: for the Law of *Edward* the Firſt, for frequent Parliaments, had no more words then *A Parliament ſhall be holden every year*, whereas our Act for a Triennial Parliament, in the time of King *Charles* the Firſt, contained ſeveral ſheets of Paper, to provide againſt a failer in the Execution of that Law; which if the Power had remained in the Lords, would have been needleſs: for ſome of them, in caſe of intermiſſion of Aſſembling the Parliament, would have made their Complaint and Addreſs to the King, and have immediately removed the obſtruction, which in thoſe days had been the natural and eaſie way: but now that many of the Lords (like the Biſhops which the Popes make at *Rome*, *in partibus infidelium*) are meerly grown Titular,

lar, and purchaſed for nothing but to get their Wives place, it cannot be wondred at if the King ſlight their Addreſſes, and the Court Paraſites deride their Honourable undertakings for the ſafety of their Country. Now the Commons ſucceeding, as was ſaid, in the Property of the Peers and Church (whoſe Lands five parts of ſix have been alienated, and moſtly is come into the ſame hands with thoſe of the King and Peers) have inherited likewiſe, according to the courſe of nature, their Power; But being kept from it by the eſtabliſhed Government (which not being changed by any lawful Acts of State) remains ſtill in being formally, whereas virtually it is aboliſhed; ſo that for want of outward Orders and Proviſions, the People are kept from the Exerciſe of that Power which is faln to them by the Law of Nature, and thoſe who cannot by that Law pretend to the ſhare they had, do yet enjoy it by vertue of that Right which is now ceaſed, as having been but the natural Effect of a Cauſe that is no longer in being, and you know *ſublata cauſa tollitur*. I cannot ſay that the greater part of the Peo-

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ple do know this their condition, but they find very plainly that they want ſomething which they ought to have; and this makes them lay often the blame of their unſetledneſs upon wrong cauſes: but however, are altogether unquiet and reſtleſs in the Intervals of Parliament: and when the King pleaſes to aſſemble one, ſpend all their time in Complaints of the Inexecution of the Law, of the multiplication of an Infinity of Grievances, of Miſ-ſpending the Publick Moneys, of the danger our Religion is in by practiſes to undermine it and the State, by endeavours to bring in Arbitrary Power, and in queſtioning great Officers of State, as the Cauſers and Promoters of all theſe Abuſes; in ſo much, that every Parliament ſeems a perfect State of War, wherein the Commons are tugging and contending for their Right, very juſtly and very honourably, yet without coming to a Point: So that the Court ſends them packing, and governs ſtill worſe and worſe in the Vacancies, being neceſſitated thereunto by their deſpair of doing any good in Parliament; and therefore are forced to uſe horrid ſhifts to ſubſiſt

ſiſt without it, and to keep it off; without ever conſidering, that if theſe Counſellors underſtood their Trade, they might bring the Prince and People to ſuch an Agreement in part, as might repair the broken and ſhipwrack'd Government of *England*; and in this ſecure the Peace, Quiet and Proſperity of the People, the Greatneſs & Happineſs of the King, and be themſelves not only out of preſent danger (which no other courſe can exempt them from) but be Renowned to all Poſterity.

Noble Ven. I beſeech you Sir, how comes it to paſs, that neither the King, nor any of his Counſellors could ever come to find out the truth of what you diſcourſe? for I am fully convinced it is as you ſay.

Eng. Gent. I cannot reſolve you that, but this is certain they have never endeavoured a Cure, though poſſibly they might know the Diſeaſe, as fearing that though the Effects of a Remedy would be, as was ſaid, very advantageous both to King and People, and to themſelves; yet poſſibly, ſuch a Reformation might not conſiſt with the Merchandize they make of the Princes Favour, nor with ſuch

ſuch Bribes, Gratuities and Fees as they uſually take for the diſpatch of all Matters before them. And therefore our Counſellors have been ſo far from ſuggeſting any ſuch thing to their Maſter, that they have oppoſed and quaſhed all Attempts of that kind, as they did the worthy Propoſals made by certain Members of that Parliament in the beginning of King *James*'s Reign; which is yet called the Undertaking Parliament. Theſe Gentlemen conſidering what we have been diſcourſing of, *viz.* That our old Government is at an end, had framed certain Heads, which, if they had been propoſed by that Parliament to the King, and by him conſented to, would, in their Opinion, have healed the Breach; and that if the King would perform his part, that Houſe of Commons would undertake for the Obedience of the People. They did believe that if this ſhould have been moved in Parliament before the King was acquainted with it, it would prove Abortive: and therefore ſent three of their number to His Majeſty; Sir *James a Croft*, Grandfather or Father to the preſent Biſhop of *Hereford*; one *Harlow*

a Knight, whose Christian Name I remember not, but was Ancestor to the Honourable Family of that Name in *Herefordshire*; and Sir *Henry Nevill*, who had been Ambassador from Queen *Elizabeth* to the *French* King. These were to open the matter at large to the King, and to procure his leave that it might be proposed in Parliament: which, after a very long Audience and Debate, that wise Prince consented to, with a promise of Secresie in the mean time, which they humbly begged of His Majesty. However, this took Vent, and the Earl of *Northampton*, of the House of *Howard*, who ruled the Rost in that time, having knowledge of it, engaged Sir *R. Weston*, afterwards Lord Treasurer and Earl of *Portland*, to impeach these Undertakers in Parliament before they could move their Matters, which he did the very same day; accompanying his Charge (which was endeavouring to alter the established Government of *England*) with so eloquent an Invective, that if one of them had not risen, and made the House acquainted with the whole Series of the Affair,

Affair, they must have been in danger of being impeached by the Commons: but however it broke their design, which was all that *Northampton* and *Weston* desired, and prevented Posterity from knowing any of the Particulars of this Reformation; for nothing being moved, nothing could remain upon the Journal. So that you see our Predecessors were not ignorant altogether of our condition, though the Troubles which have befallen this poor Kingdom since, have made it much more apparent: for since the Determination of that Parliament, there has not been one called, either in that King's Reign, or his Son's, or since, that hath not been dissolved abruptly; whilst the main businesses, and those of most concern to the Publick were depending and undecided. And although there hath happened in this Interim a bloody War, which in the Close of it, changed the whole Order and Foundation of the Polity of *England*, and that it hath pleased God to restore it again by His Majesty's happy Return. So that the old Government is alive again; yet it is very visible that its deadly Wound is not healed, but that we

are to this day tugging with the ſame difficulties, managing the ſame Debates in Parliament, and giving the ſame diſguſts to the Court, and hopes to the Country, which our Anceſtors did before the Year 1640. whilſt the King hath been forced to apply the ſame Remedy of Diſſolution to his two firſt Parliaments that his Father uſed to his four firſt, and King *James* to his three laſt, contrary to his own viſible Intereſt, and that of his People; and this for want of having Counſellors about him of Abilities and Integrity enough to diſcover to him the Diſeaſe of his Government, and the Remedy: which, I hope, when we meet to Morrow Morning you will come prepared to enquire into; for the Doctor ſays, he will adviſe you to go take the Air this Afternoon in your Coach.

Noble Ven. I ſhall think it very long till the Morning come: But before you go, pray give me leave to ask you ſomething of your Civil War here; I do not mean the Hiſtory of it (although the World abroad is very much in the dark as to all your Tranſactions of that time for want of a good one) but the Ground

or Pretences of it, and how you fell into a War againſt your King.

Eng. Gent. As for our Hiſtory, it will not be forgotten; one of thoſe who was in Employment from the Year 40. to 60. hath written the Hiſtory of thoſe 20 Years, a Perſon of good Learning and Elocution; and though he be now dead, yet his Executors are very unwilling to publiſh it ſo ſoon, and to rub a Sore that is not yet healed. But the Story is writ with great Truth and Impartiality, although the Author were engaged both in Councils and Arms for the Parliaments ſide. But for the reſt of your Demand, you may pleaſe to underſtand, that our Parliament never did, as they pretended, make War againſt the King; for he by Law can do no Wrong, and therefore cannot be quarrelled with: The War they declared was undertaken to reſcue the King's Perſon out of thoſe Mens hands who led him from his Parliament, and made uſe of his Name to levy a War againſt them.

Noble Ven. But does your Government permit, that in caſe of a diſagreement between the King and his Parliament, ei-

ther of them may raiſe Arms againſt the other.

Eng. Gent. It is impoſſible that any Government can go further than to provide for its own Safety and Preſervation whilſt it is in Being, and therefore it can never direct what ſhall be done when it ſelf is at an end, there being this difference between our Bodies Natural and Politick; that the firſt can make a Teſtament to diſpoſe of things after its death, but not the other. This is certain, that where-ever any two Co-ordinate Powers do differ, and there be no Power on Earth to reconcile them otherwiſe, nor any Umpire, they will, *de facto*, fall together by the Ears. What can be done in this Caſe, *de jure?* Look into your own Country-man *Machiavell*, and into *Grotius*, who in his Book, *De jure Belli ac Pacis*, treated of ſuch matters long before our Wars. As for the ancient Politicians, they muſt needs be ſilent in the Point, as having no mixt Governments amongſt them; and as for me, I will not reſt my ſelf in ſo ſlippery a place. There are great diſputes about it in the Parliaments Declarations before the War, and

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ſomething conſiderable in the King's Anſwers to them; which I ſhall ſpecifie immediately, when I have ſatisfied you how our War begun; which was in this manner. The Long Parliament having procured from the King his Royal Aſſent for their Sitting till they were diſſolved by Act, and having paid and ſent out the Scottiſh Army, and disbanded our own, went on in their Debates for the ſettling and mending our Government, the King being diſpleaſed with them for it, and with himſelf for putting it out of his Power to diſſolve them, now their buſineſs which they pretended for their Perpetuation was quite finiſhed, takes an unfortunate Reſolution to accuſe five principal Men of the Commons Houſe, and one of the Peers, of High Treaſon: which he proſecuted in a new unheard of way, by coming with armed Men into the Commons Houſe of Parliament, to demand their Members; but nothing being done by reaſon of the abſence of the five, and Tumults of diſcontented Citizens flocking to *White-Hall* and *Weſtminſter*, the King took that occaſion to abſent himſelf from his Parliament. Which induced the Com-

Commons Houſe to ſend Commiſſioners to *Hampton Court* to attend His Majeſty with a Remonſtrance of the State of the Kingdom, and an humble Requeſt to return to his Parliament, for the Redreſſing thoſe Grievances which were ſpecified in that Remonſtrance. But the King, otherwiſe Counſelled, goes to *Windſor*, and thence Northwards, till he arrived at *York*: where he ſummons in the *Militia*, that is, the Trained Bands of the County; and beſides, all the Gentry, of which there was a numerous Appearance. The King addreſſed himſelf to the latter with Complaints againſt a prevailing Party in Parliament, which intended to take the Crown from his Head; that he was come to them, his loving Subjects, for Protection; and, in ſhort, deſired them to aſſiſt him with Moneys to defend himſelf by Arms. Some of theſe Gentlemen petitioned His Majeſty to return to his Parliament, the reſt went about the Debate of the King's Demands; who, in the mean time, went to *Hull*, to ſecure the Magazine there, but was denied Entrance by a Gentleman whom the Houſe had ſent down to prevent the ſeizing it; who was

was immediately declared a Traytor, and the King fell to raiſing of Forces: which coming to the Knowledge of the Houſe, they made this Vote, *That the King, ſeduced by Evil Counſel, intended to levy War againſt his Parliament and People, to deſtroy the Fundamental Laws and Liberties of* England, *and to introduce an Arbitrary Government*, &c. This was the firſt time they named the King, and the laſt: For in all their other Papers, and in their Declaration to Arm for their Defence (which did accompany this Vote) they name nothing but Malignant Counſellors. The King's Anſwer to theſe Votes and this Declaration, is that which I mentioned; wherein His Majeſty denies any intention of invading the Government, with high Imprecations upon himſelf and Poſterity if it were otherwiſe: and owns that they have Right to maintain their Laws and Government. This is to be ſeen in the Paper it ſelf now extant; and this Gracious Prince never pretended (as ſome Divines have done for him) that his Power came from God, and that his Subjects could not diſpute it, nor ought he to give any Account of his Actions (though he

he ſhould enſlave us all) to any but him. So that our War did not begin upon a point of Right, but upon a matter of Fact, for without going to Lawyers or Caſuiſts to be reſolved, thoſe of the People, who believed that the King did intend to deſtroy our Liberties, joyned with the Parliament, and thoſe who were of opinion that the prevailing party in Parliament did intend to deſtroy the King or dethrone him, aſſiſted vigorouſly his Majeſty with their Lives and Fortunes. And the Queſtion you were pleaſed to ask never came, for both parties pretended and believed they were in the right, and that they did fight for and defend the Government: But I have wearied you out.

Noble. Ven. No ſure, Sir, but I am infinitely obliged to you for the great care you have taken and ſtill have uſed to inſtruct me, and beg the continuance of it for to morrow morning.

Eng. Gent. I ſhall be ſure to waite upon you at nine a Clock, but I ſhall beſeech both of you to bethink your ſelves what to offer, for I ſhall come with a deſign to learn, not to teach, nor will I pre-

presume in such a matter to talk all, as you have made me do to day, for what I have yet to say in the point of Cure, is so little, that it will look like the Mouse to the Mountain of this days discourse.

Doct. It is so in all Arts, the Corollary is short, and in ours particularly. Those who write of the several Diseases incident to humane bodies, must make long Discourses of the Causes, Symptomes, Signs and Prognosticks of such Distempers, but when they come to treat of the Cure, it is dispatched in a few *Recipes*.

Eng. Gent. Well, Sir, for this bout, I humbly take my leave of you; nay, Sir, you are not in a condition to use ceremony.

Doct. Sir, I forbid you this door, pray retire, to stand here is worse than to be in the open air.

Noble Ven. I obey you both.

Doct. I shall wait on you in the Evening.

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The THIRD DAY.

Noble Ven. GEntlemen, you are very welcome; what you are come both together.

Doct. I met this Gentleman at the door: But methinks we ſit looking one upon another, as if all of us were afraid to ſpeak.

Eng. Gent. Do you think we have not reaſon in ſuch a ſubject as this is? how can any Man, without Heſitation, preſume to be ſo confident as to deliver his private opinion in a point, upon which, for almoſt 200 year (for ſo long our Government has been crazy) no Man has ventered; and when Parliaments have done any thing towards it, there have been Animoſities and Breaches, and at length Civil Wars?

Noble Ven. Our work to day is, to endeavour to ſhew how all theſe troubles may be prevented for the future, by taking away the Cauſe of them, which is the want of a good Government; and therefore it will not be ſo much preſumption

ption in you, as charity to declare your ſelf fully in this matter.

Eng. Gent. The Cure will follow naturally, if you are ſatisfied in the Diſeaſe, and in the Cauſe of the Diſeaſe, for if you agree that our Government is broken, and that it is broken becauſe it was Founded upon Property, and that Foundation is now ſhaken, It will be obvious, that you muſt either bring Property back to your old Government, and give the King and Lords their Lands again, or elſe you muſt bring the Government to the Property as it now ſtands.

Doct. I am very well ſatisfied in your Grounds, but becauſe this Fundamental truth is little underſtood amongſt our People, and that in all converſations Men will be offering their opinions of what the Parliament ought to do at their Meeting, it will not be amiſs to examine ſome of thoſe Expedients they propoſe, and to ſee whether ſome or all of them may not be effectual towards the bringing us to ſome degree of ſettlement, rather than to venture upon ſo great a change and alteration as would be neceſſary to model our Government anew.

Eng.

Eng. Gent. Sir, I believe there can be no Expedients propoſed in Parliament that will not take up as much time and trouble, find as much difficulty in paſſing with the King and Lords, and ſeem as great a change of Government, as the true remedy would appear, at leaſt I ſpeak as to what I have to propoſe; but however, I approve your Method, and if you will pleaſe to propoſe any of thoſe things, I ſhall either willingly embrace them, or endeavour to ſhew reaſon why they will be of little fruit in the ſettling our State.

Doct. I will reduce them to two Heads (beſides the making good Laws for keeping out Arbitrary Power, which is always underſtood) the hindring the growth of Popery, and conſequently the providing againſt a Popiſh Succeſſor; and then the declaring the Duke of *Monmouth*'s Right to the Crown, after it hath been examined and agreed to in Parliament.

Eng. Gent. As for the making new Laws, I hold it abſolutely needleſs, thoſe we have already againſt Arbitrary Power being abundantly ſufficient, if they might

might be executed, but that being impossible (as I shall shew hereafter) till some change shall be made, I shall *postpone* this point, and for the first of your other two I shall divide, and separate the consideration of the growth of Popery from that of the Succession. I am sorry that in the prosecution of this Argument, I shall be forced to say something that may not be very pleasing to this worthy Gentleman, we being necessitated to discourse with prejudice of that Religion which he professes, but it shall be with as little ill breeding as I can, and altogether without passion or invectives.

Noble Ven. It would be very hard for me to suspect any thing from you that should be disobliging; but pray, Sir, go on to your Political discourse, for I am not so ignorant my self but to know that the conservation of the National Religion (be it what it will) is essential to the well ordering a State, and though in our City the Doctrinals are very different from what are professed here, yet as to the Government of the State, I believe you know that the Pope or his Priests have as little influence upon it, as your

Clergy have here, or in any part of the World.

Eng. Gent. I avow it fully, Sir, and with the favour you give will proceed: It cannot be denyed but that in former times Popery has been very innocent here to the Government, and that the Clergy and the Pope were so far from opposing our Liberties, that they both sided with the Barons to get a Declaration of them by means of *Magna Charta:* It is true also, that if we were all Papists, and that our State were the same, both as to Property and Empire, as it was 400 years ago, there would be but one inconvenience to have that Religion National again in *England,* which is, That the Clergy, *quatenus* such, had and will have a share in the Soveraignty, and inferiour Courts in their own Power, called Ecclesiastical; this is and ever will be a Solecisme in Government, besides a manifest contradiction to the words of Christ our Saviour, who tells us, his Kingdom is not of this World; and the truth is, if you look into the Scriptures, you will find, That the Apostles did not reckon that the Religion they planted should be

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National in any Country, and therefore have given no precepts to the Magistrate to meddle in Matters of Faith and the Worship of God; but Preach'd, That Christians should yield them obedience in all lawful things: There are many passages in Holy Writ which plainly declare, that the true Believers and Saints should be but an handful, and such as God had separated, and as it were taken out of the World, which would not have been said by them, if they had believed that whole Nations and People should have been true Followers of Christ, and of his Flock, for certainly none of them are to be damn'd, and yet Christ himself tells us, that few are saved, and bids us strive to get in at the strait gate; and therefore I conceive it not to be imaginable, that either Christ or his Apostles did ever account that the true Religion should be planted in the World by the framing of Laws, Catechisms, or Creeds, by the Soveraign Powers and Magistrates, whether you call them Spiritual or Temporal, but that it should have a Progress suitable to its beginning, for it is visible that it had its Original from the Power

and Spirit of God, and came in againſt the ſtream, not only without a *Numa Pompilius*, or a *Pythagoras* to plant and eſtabliſh it by humane Conſtitutions and Authority, but had all the Laws of the World to oppoſe it, and all the bloody Tyrants of that age to perſecute it, and to inflict exquiſite torments on the Profeſſors of it. In *Nero*'s time (which was very early) the Chriſtians were offered a Temple in *Rome*, and in what other Cities they pleaſed, to be built to Jeſus Chriſt, and that the *Romans* ſhould receive him into the number of their gods; but our Religion being then in its purity, this was unanimouſly refuſed, for that ſuch a God muſt have no Companions, nor needed no Temples, but muſt be Worſhipped in Spirit and Truth; the Succeſſors to theſe good Chriſtians were not ſo ſcrupulous, for within ſome Ages after, the Prieſts, to get Riches and Power, and the Emperors to get and keep the Empire (for by this time the Chriſtians were grown numerous and powerful) combined together to ſpoil our Holy Religion, to make it fit for the Government of this World, & to introduce into it all the Ceremonious follies

lies and Superſtitions of the Heathen, and which is worſe, the Power of Prieſts, both over the Perſons and Conſciences of Men. I ſhall ſay no more of this, but refer you to innumerable Authors who have treated of this Subject, particularly to a *French* Miniſter, who hath written a Book, Entituled, *La Religion Catholique Apoſtolique Romaine inſtituee par Name Pompile*, and to the incomparable *Machiavel* in his *Poſthume* Letter, Printed lately in our Language, with the Tranſlation of his Works: But I have made a long digreſſion, and to come back again, ſhall only deſire you to take notice, when I ſay that anciently Popery was no inconvenience in this Kingdom, I mean only Politically, as the Government then ſtood, and do not ſpeak at all of the prejudice which Mens Souls did and will ever recive from the Belief of thoſe impious Tenents, and the want of having the True Goſpel of Jeſus Chriſt preached unto them, but living in perpetual Superſtition and Idolatry: The conſideration of theſe Matters is not ſo proper to my preſent purpoſe, being to Diſcourſe only of Government. Notwithſtanding therefore, as I

ſaid before, that Popery might have ſuited well enough with our old Conſtitution, yet as to the preſent Eſtate, which inclines to Popularity, it would be wholly as inconſiſtent with it, and with the Power of the Keys, and the Empire of Prieſts (eſpecially where there is a Foreign Juriſdiction in the caſe) as with the Tyranny and Arbitrary Power of any Prince in the World. I will add thus much in Confirmation of the *Doctor*'s Aſſertion, That we ought to prevent the Growth of Popery, ſince it is now grown a Dangerous Faction here againſt the State.

Noble Ven. How can that be, I beſeech you, Sir?

Eng. Gent. Sir, I will make you Judg of it your ſelf; I will ſay nothing of thoſe fooliſh Writings that have been put forth by *Mariana*, *Emmanuel Sa*, and ſome others, about the lawfulneſs of deſtroying Princes and States, in caſe of Hereſie, becauſe I know all the conſcientious and honeſt Papiſts (of which I know there are great numbers in the World) do not only not hold, but even abhor ſuch curſed Tenents, and do believe, that when the Pope, by Excom-

communication, hath cut off any Prince from the Communion of the Church, can go no further, nor ought to pretend a Power to deprive him of his Crown, or absolve his Subjects from their Oaths and Obedience: But I shall confine my self to the present condition of our Papists here. You know how dangerous it is for any Kingdom or State to have a considerable, wealthy, flourishing party amongst them, whose interest it is to destroy the Polity and Government of the Country where they live, and therefore if our Papists prove this Party, you will not wonder why this People are so eager to depress them; this is our Case, for in the beginning of Queen *Elizabeths* reign, there was an alteration of Religion in our Country, which did sufficiently enrage the Holy Father at *Rome*, to see that this good Cow would be Milked no longer, He declares her an Heretick and a Bastard, (his Sanctity not having declared null that incestuous Marriage, which her Father had contracted before with his Brothers Wife, and which that King had dissolved to Marry her Mother) and afterwards Excommunicated our Queen,

depriving her, as much as in him lay, of the Kingdom; ſome of the Zealots of that Party (having a greater terrour for thoſe Thunder-bolts than I believe many have now) began to Conſpire againſt her; and Plots grew at length ſo frequent, and ſo dangerous, that it was neceſſary (as the Parliaments then thought) to ſecure the Queen, by making ſevere Laws againſt a People, who did not believe themſelves her Majeſties Subjects; but on the contrary, many of them thought themſelves in Conſcience obliged to oppoſe and deſtroy her; and although that Excommunication, as alſo the pretended doubtfulneſs of the Title, both dyed with that renowned Queen, yet a new deſperate Conſpiracy againſt the King her Succeſſor, and the whole Parliament enſuing, not long after her deceaſe, thoſe vigorous Laws have been ſo far from being repealed, that very many more, and far ſeverer, have been ſince made, and are yet in force. Now theſe Laws make ſo great a diſtinction between Proteſtants and Papiſts, that whereas the former are by our Government and Laws, the freeſt People in the World,

World, the latter are little better than ſlaves, are confined to ſuch a diſtance from their Houſes, are not to come near the Court, which being kept in the Capital City, moſtly deprives them from attending their neceſſary occaſions, they are to pay two third parts of their Eſtates annually to the King, their Prieſts are to ſuffer as Traitors, and they as Felons for harbouring them; in fine, one of us, if he do not break the Municipal Laws for the good Government of the Country, need not fear the King's Power, whereas their being what they are is a breach of the Law, and does put them into the Princes hands to ruine them when he pleaſes; nay, he is bound by Oath to do it, and when he does it not, is complained againſt by his People, and Parliaments take it amiſs. Now judg you, Sir, whether it is not the intereſt of theſe People to deſire and endeavour a change whileſt they remain under theſe diſcouragements, and whether they are not like to joyn with the Prince (whoſe connivance at the inexecution of thoſe Laws is the only means and hope of their preſervation) when-ever he ſhall

undertake any thing for the increaſe of his own Power, and the depreſſing his Parliaments.

Noble Ven. What you ſay is very undeniable, but when the Remedy is very eaſie and obvious, as well as very juſt and honourable, which is the taking away thoſe cruel Laws, and if that were done they would be one People with you, and would have no neceſſity, and by conſequence no deſire to engreaten the King againſt the Intereſt and Liberty of their own Country.

Eng. Gent. You ſpeak very well, and one of the Reaſons amongſt many which I have, to deſire a compoſure of all our troubles by a ſettled Government, is, that I may ſee theſe People (who are very conſiderable, moſt of them, for Eſtates Birth and Breeding) live quietly under our good Laws, and increaſe our Trade and Wealth with their expences here at home, whereas now the ſeverity of our Laws againſt them, makes them ſpend their Revenues abroad, and inrich other Nations with the Stock of *England*; but as long as the State here is ſo unſettled as it is, our Parliaments will never conſent

ſent to countenance a Party, who by the leaſt Favour and Indulgence may make themſelves able to bring in their own Religion to be National, and ſo ruine our Polity and Liberties.

Noble Ven. I wonder why you ſhould think that poſſible?

Eng. Gent. Firſt, Sir, for the Reaſon we firſt gave, which is the crazineſs of our Polity, there being nothing more certain than that both in the Natural and alſo the Politick Body any ſiniſter accident that intervenes, during a very Diſeaſed habit, may bring a dangerous alteration to the Patient. An Inſurrection in a decayed Government, a thing otherwiſe very inconſiderable, has proved very fatal, as I knew a ſlight fleſh wound bring a luſty Man to his Grave in our Wars, for that he being extreamly infected with the *French* Diſeaſe could never procure the Orifice to cloſe; ſo although the deſigns both at home and abroad, for altering our Religion, would be very little formidable to a well founded Government, yet in ſuch an one as we have now, it will require all our care to obviate ſuch Machinations. Another Reaſon,

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is the little Zeal that is left amongſt the ordinary Proteſtants, which Zeal uſes to be a great Inſtrument of preſerving the Religion eſtabliſhed, as it did here in Queen *Elizabeths* time; I will add the little Credit the Church of *England* hath amongſt the People, moſt Men being almoſt as angry with that Popery which is left amongſt us (in Surplices, Copes, Altars, Cringings, Biſhops Eccleſiaſtical Courts, and the whole Hierarchy, beſides an Infinite number of Uſeleſs, Idle, Superſtitious Ceremonies, and the Ignorance and Vitiouſneſs of the Clergy in general) as they are with thoſe *Dogma's* that are aboliſhed: So that there is no hopes that Popery can be kept out, but by a Company of poor People called Fanaticks, who are driven into Corners as the firſt Chriſtians were; and who only in truth Conſerve the Purity of Chriſtian Religion, as it was planted by Chriſt and his Apoſtles, and is contained in Scripture. And this makes almoſt all ſober Men believe, that the National Clergy, beſides all other good qualities have this too, that they cannot hope to make their Hierarchy ſubſiſt long againſt the Scriptures,

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the hatred of Mankind, and the Intereſt of this People, but by Introducing the *Roman* Religion; and getting a Foreign Head and Supporter, which ſhall from time to time brave and hector the King and Parliament in their favour and behalf, which yet would be of little advantage to them, if we had as firm and wiſe a Government as you have at *Venice*. Another Reaſon, and the greateſt, why the *Romiſh* Religion ought to be very warily provided againſt at this time, is; That the Lawful and Undoubted Heir to the Crown, if his Majeſty ſhould die without Legitimate Iſſue, is more than ſuſpected to Imbrace that Faith; which (if it ſhould pleaſe God to call the King, before there be any Remedy applied to our Diſtracted State) would give a great opportunity (by the Power he would have in Intervals of Parliament) either to Introduce immediately that Profeſſion, with the help of our Clergy, and other *Engliſh* and Foreign Aids, or elſe to make ſo fair a way for it, that a little time would perfect the work; and this is the more formidable, for that he is held to be a very Zealous and Bigotted *Romaniſt*; and therefore may be ſuppoſed

poſed to act any thing to that end, although it ſhould manifeſtly appear to be contrary to his own Intereſt and Quiet, ſo apt are thoſe who give up their Faith and the Conduct of their Lives to Prieſts (who to get to themſelves Empire, promiſe them the higheſt Seats in Heaven; if they will ſacrifice their Lives, Fortunes, and Hopes, for the Exaltation of their Holy Mother, and preventing the Damnation of an innumerable company of Souls which are not yet born) to be led away with ſuch Erroneous and wild Fancies. Whereas *Philip* the Second of *Spain*, the Houſe of *Guiſe* in *France*, and other great Stateſmen, have always made their own greatneſs their firſt Aim, and uſed their Zeal as an Inſtrument of that; And inſtead of being cozen'd by Prieſts, have cheated them, and made them endeavour to Preach them up to the Empire of the World. So I have done with the Growth of Popery, and muſt conclude, that if that ſhould be ſtopt in ſuch manner, that there could not be one Papiſt left in *England*, and yet our Polity left in the ſame diſorder that now afflicts it, we ſhould not be one Scruple the better

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for it, nor the more at quiet; the Growth and Danger of Popery not being the Cauſe of our preſent Diſtemper, but the Effect of it: But as a good and ſetled Government would not be at all the nearer for the deſtruction of Popery, ſo Popery and all the Dangers and Inconveniences of it would not only be further off, but would wholly vaniſh at the ſight of ſuch a Reformation. And ſo we begin at the wrong end, when we begin with Religion before we heal our Breaches. I will borrow one Similitude more, with our Doctor's favour, from his Profeſſion. I knew once a Man given over by the Phyſitians, of an incurable *Cachexia*, which they ſaid proceeded from the ill Quality of the whole Maſs of Blood, from great Aduſtion, and from an ill habit of the whole Body. The Patient had very often painful Fits of the Chollick, which they ſaid proceeded from the ſharpneſs of the Humour which cauſed the Diſeaſe; and, amongſt the reſt, had one Fit which tormented him to that degree, that it was not expected he could out-live it; yet the Doctors delivered him from it in a ſmall time: Notwithſtanding, ſoon after

ter the Man died of his first Distemper. Whereas if their Art had arrived to have cured that (which was the Cause of the other) the Chollick had vanished of it self, and the Patient recovered. I need make no Application, nor shall need to say much of the Succession of the Crown (which is my next Province) but this I have said already, That it is needless to make any Provision against a Popish Successor if you rectifie your Government; and if you do not, all the Care and Circumspection you can use in that Particular, will be useless, and of none effect, and will but at last (if it do not go off easily, and the next Heir succeed peaceably, as is most likely, especially if the King live till the People's Zeal and Mettle is over) end probably in a Civil War about Title: and then the Person deprived may come in with his Sword in his Hand, and bring in upon the Point of it both the Popish Religion, and Arbitrary Power: Which, though I believe he will not be able to maintain long (for the Reasons before alledged,) yet that may make this Generation miserable and unhappy.

Doct.

Doct. But Sir, would you have the Parliament do nothing, as things ſtand, to provide (at leaſt, as much as in them lies) that whoever ſucceeds be a good Proteſtant?

Eng. Gent. Yes, I think it is their duty, in the firſt place to offer to His Majeſty the true Remedy; and if they find him averſe to that, then to purſue the other which concerns the Succeſſion, becauſe the People (who are their Principals, and give them their Power) do expect ſomething extraordinary from them at this time; and the moſt of them believe this laſt the only preſent means to ſave them from Popery, which they judge (and very juſtly) will bring in with it a change of Government. But then, I ſuppoſe, they may be encouraged to propoſe in the firſt place the true Cure; not only becauſe that is infallible, as has been proved, but likewiſe becauſe His Majeſty in probability, will ſooner conſent to any reaſonable Demand towards the Reforming of the Government, and to the ſecuring us that way, than to concurr to the depriving his only Brother of the Crown. And poſſibly this latter (as I ſaid before)

may be the only way the Parliament can hope will prove effectual: For if you pleaſe to look but an Age back into our Story, you will find that *Henry* the Eighth did procure an Act of Parliament, which gave him power to diſpoſe of the Crown by his laſt Will and Teſtament: and that he did accordingly make his ſaid Will; and by it deviſe the Succeſſion to his Son *Edward* the Sixth, in the firſt place, and to the Heirs of his Body; and for want of ſuch, to his Daughter *Mary*, and to the Heirs of her Body; and for want of which Heirs, to his Daughter *Elizabeth*, our once Soveraign of Immortal and Bleſſed Memory, and the Heirs of her Body; and for want of all ſuch Iſſue, to the right Heirs of his Younger Siſter; who was, before he made this Will, married to *Charles Brandon* Duke of *Suffolk*, and had Iſſue by him. By this Teſtament he diſinherited his elder Siſter, who was married into *Scotland*; and by that means did, as much as in him lay, exclude His Majeſty (who now, by God's Mercy, Reigns over us) as alſo his Father and Grandfather. And to make the Caſe ſtronger, there paſſed an Act long after, in

ill the Reign of Queen *Elizabeth*, That it ſhould be Treaſon during that Queen's Life, and a Premunire afterwards, to aſſert that the Imperial Crown of *England* could not be diſpoſed of by Act of Parliament: Yet after the Deceaſe of that Queen, there was no conſiderable Oppoſition made to the peaceable Reception and Recognition of King *James* of happy Memory. And thoſe who did make a little ſtir about the other Title, as the Lord *Cobham*, Sir *Walter Rawleigh*, and a few others, were apprehended and condemned according to Law. And, notwithſtanding that, ſince, in the Reign of King *Charles* the Firſt, there was a bloody Civil War, in which Men's Minds were exaſperated at a high rate; yet in all the Courſe of it, the Original Want of Title was never objected againſt His late Majeſty. I do not urge this to aver that the Parliament, with the King's Conſent, cannot do lawfully this, or any other great Matter: which would be an incurring the Penalty of that Law, and a Solleciſm in the Politicks: But to ſhew that when the Paſſions of Men are quieted, and the Reaſons other than they were, it happens

often times that those Acts which concern the Succession fall to the Ground of themselves, and that even without the Sword, which in this Case was never adoperated. And that therefore this Remedy in our Case may be likely never to take place, if it please God the King live till this Nation be under other kind of Circumstances.

Doct. Sir, you say very well: but it seems to me, that the last Parliament was in some kind of Fault, if this be true that you say; for I remember that my Lord Chancellor did once, during their Sitting, in His Majesty's Name offer them to secure their Religion and Liberties any way they could advise of, so they would let alone medling with the Succession, and invited them to make any Proposals they thought necessary to that end.

Eng. Gent. Hinc illæ lachrimæ. If this had been all, we might have been happy at this time; but this Gracious Offer was *In limine*, accompanied with such Conditions that made the Parliament conjecture that it was only to perplex and divide them; and did look upon it as an Invention of some new *Roman* Counsellors

ſellors (and thoſe too, poſſibly, influenced by the *French*) to make them embrace the Shaddow for the Subſtance; and ſatiſfying themſelves with this Appearance, to do their ordinary Work of giving Money, and be gone, and leave the Buſineſs of the Kingdom as they found it. For it was propoſed, that whatſoever Security we were to receive ſhould be both Conditional and Reverſionable: That is, Firſt, We ſhould not be put into Poſſeſſion of this new Charter (be it what it will) till after the death of His Majeſty who now is; whereas ſuch a Proviſion is deſirable, and indeed neceſſary for us for this only reaſon, that when that unfortunate Hour comes, we might not be, in that Confuſion, unprovided of a Calm, Setled and Orderly, as well as a Legal Way to keep out Popery. Whereas otherwiſe, if we be to take Poſſeſſion in that Minute, it muſt either miſcarry, or be gotten by a War; if it be true that Poſſeſſion be Nine Points of the Law in other Caſes, it is in this the whole Ten: and I ſhould be very unwilling, in ſuch a Diſtraction, to have no Sanctuary to fly to, but a peice of Parchment kept in the Pells; and

to have this too, as well as all other Advantages, in the Power and Poſſeſſion of him in whoſe prejudice it was made: this had been almoſt as good an Expedient to keep out Popery, as the Bill which was thrown out that Parliament; which provided, that in the Reign of a King that ſhould be a Papiſt, the Biſhops ſhould chuſe one another upon Vacancies. Thoſe Counſellors who put my Lord Chancellor upon this Propoſal, were either very ſlender Politicians themſelves, or elſe thought the Parliament ſo. If *Magna Charta* and *The Petition of Right* had not been to take place till after the Deceaſe of thoſe Princes who confirmed them, neither had the Barons ſhed their Blood to ſo good purpoſe, nor the Members of the Parliament in *Tertio Caroli*, deſerved ſo Glorious an Impriſonment after it was ended. The other Condition in this renowned Propoſal is, That all Proviſion and Security which is given us to preſerve our Religion, ſhall ceaſe immediately, when-ever the Prince ſhall take a certain Oath to be penned for that purpoſe; and I leave it to all thinking Men to determine what that will avail us, when we

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ſhall have a King of that Profeſſion over us, who ſhall not have ſo much Zeal for his Religion, as he who is now the next Succeſſor hath; but ſhall poſſibly prefer his Ambition, and his deſire to get out of Wardſhip, before the Scruples of his Confeſſor; and yet may afterwards, by getting Abſolution for, and Diſpenſation from ſuch Oaths and Compliance, employ the Power he gets himſelf, and the Security he deprives us of, to introduce violently what Worſhip and Faith he pleaſes. This Gracious Offer had the fatallity to diſguſt one of the beſt Parliaments that ever Sate, and the moſt Loyal; ſo that laying it aſide, they fell upon the Succeſſion, the only thing they had then left, and were ſoon after Diſſolved, leaving the Kingdom in a more diſtracted Condition than they found it; and this can no way be compoſed, but by mending the Polity. So that whoever is King cannot (be he never ſo inclined to it) introduce Popery, or deſtroy whatever Religion ſhall be eſtabliſhed: as you ſee in the Example of the Dutchy of *Hanouer*, whoſe Prince, ſome fourteen Years ſince, was perverted to the *Roman* Church, went to

Rome to abjure Hereſie (as they call the truth) return'd home, where he lived and Governed as he did before, without the leaſt Animoſity of his Subjects for his Change, or any endeavour of his to Introduce any in his Government or People, and dying this laſt Spring, left the Peaceable and undiſturbed Rule of his Subjects to the next Succeſſour, his Brother the Biſhop of *Oſnaburg*, who is a Proteſtant, and this becauſe the Polity of that Dukedom has been conſerved entire for many years, and is upon a right Baſis: and if our Caſe were ſo, we ſhould not only be out of danger to have our Religion altered (as I ſaid before) whoever is King, but ſhould in other things be in a happy and flouriſhing condition; but I have made a long and tedious digreſſion to anſwer your demands: Now 'tis time you aſſiſt me to find the Natural Cure of all our Miſchiefs.

Doct. Stay, Sir, I confeſs my ſelf to be wonderfully Edified with your diſcourſe hitherto, but you have ſaid nothing yet of the Duke of *Monmouth*.

Eng. Gent. I do not think you deſire it, though you were pleaſed to mention

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such a thing, for I suppose you cannot think it possible, that this Parliament (which is now speedily to meet by His Majesties Gracious Proclamation) can ever suffer such a thing to be so much as Debated amongst them.

Doct. Sir, you have no reason to take that for granted, when you see what Books are Printed, what great and Honourable Persons frequent him in private, and countenance him in publick; what shoals of the middle sort of People have in his Progress this Summer met him before he came into any great Town, and what Acclamations and Bon-fires have been made in places where he lodged.

Eng. Gent. These things I must confess, shew how great a Distemper the People are in, and the great reason we have to pray God of his Mercy to put an end to it by a happy Agreement in Parliament. But certainly this proceeds only from the hatred they have to the next Successour and his Religion, and from the compassion they have to the Duke of *Monmouth* (who as they suppose, hath suffered banishment and dis-favour at Court, at his Instance) and not from any hopes or ex-

expectations that the Parliament will countenance any pretence that can be made in his behalf to the Succeſſion.

Doct. It may be when we have diſcourſed of it, I ſhall be of your mind, (as indeed I am enclined already) But yet nothing in War is more dangerous than to contemn an Enemy; ſo in this Argumentation that we uſe to ſecure our Liberties, we muſh leave nothing unanſwered that may ſtand in the way of that, eſpecially the Duke of *Monmouth's* Claim, which is pretended to confirm and fortifie them, for (ſay ſome Men) if you ſet him up, he will preſently paſs all Bills that ſhall concern the Safety and Intereſt of the People; And ſo we ſhall be at reſt for ever.

Eng. Gent. Well, I ſee I muſt be more tedious than I intended; Firſt then, the reaſoning of theſe men you ſpeak of, does in my apprehenſion, ſuppoſe a thing I cannot mention without horrour, which is, That this Perſon ſhould be admitted immediately to the Poſſeſſion of the Crown to do all theſe fine Matters; for otherwiſe, if he muſt ſtay till the Death of our Soveraign who now Reigns (which I hope

I hope and pray will be many years) poſſibly theſe delicate Bills may never paſs, nor he find hereafter the People in ſo good a humour to admit him to the Reverſion, which if it could be obtain'd (as I think it impoſſible Politically) yet the Poſſeſſion muſt be kept by a ſtanding Army, and the next Succeſſour cannot have a better Game to play, nor a better Adverſary to deal with, than one who leaps in over the Heads of almoſt all the Proteſtant Princes Families abroad, beſides ſome Papiſts who are greater; and when we have been harraſſed with Wars, and the miſeries that accompany it ſome few years, you ſhall have all theſe fine People, who now run after him, very weary of their new Prince; I would not ſay any thing to diſparage a Perſon ſo highly born and of ſo early merit; but this I may ſay, That if a Lawful Title ſhould be ſet on foot in his favour, and a thouſond *Dutch* Hoſts, and ſuch like, ſhould ſwear a Marriage, yet no ſober Man, that is not blinded with prejudice will believe, That our King (whom none can deny to have an excellent underſtanding) would ever Marry a Woman ſo much his Inferiour

riour as this great Persons Mother was; and this at a time when his Affairs were very low, and he had no visible or rational hopes to be restored to the Possession of his Kingdoms but by an assistance which might have been afforded him by some great Foreign Alliance. Well, but to leave all this, do these Men pretend that the Duke of *Monmouth* shall be declared Successour to the Crown in Parliament, with the King's Concurrence or without it; if without it, you must make a War for it, and I am sure that no Cause can be stated upon such a point, that will not make the Assertors and Undertakers of it be condemned by all the Politicians and Moralists of the World, and by the Casuists of all Religions, and so by consequence, it is like to be a very unsuccessful War. If you would have this declar'd with the King's Consent, either you suppose the Royal Assent to be given, when the King has his liberty either to grant it, or not grant it; to Dissolve the Parliament, or not Dissolve it, without ruine or prejudice to his Affairs: If in the first Case, it is plain he will not grant it, because he cannot do

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it without confeſſing his Marriage to that Duke's Mother, which he hath already declared againſt in a very ſolemn manner, and cauſed it to be Regiſtred in Chancery; and which not only no good Subject can chuſe but believe, but which cannot be doubted by any rational perſon; for it would be a very unnatural, and indeed a thing unheard of, that a Father who had a Son in Lawful Matrimony, and who was grown to perfection, and had ſignalized himſelf in the Wars, and who was ever entirely beloved by him, ſhould diſinherit him by ſo ſolemn an aſſeveration (which muſt be a falſe one too) to cauſe his Brother to ſucceed in his room. And whereas it is pretended by ſome, that His Majeſties danger from his Brothers Counſels and Deſigns may draw from him ſomething of this; beſide that they do not much Complement the King in this, it is clear, his Brother is not ſo Popular, but that he may ſecure him when he pleaſes, without hazard, if there were any ground for ſuch an apprehenſion. But we muſt in the next place ſuppoſe that the King's Affairs were in ſuch a poſture, that he could deny the

the Parliament nothing without very great miſchief, and inconvenience to himſelf and the Kingdom; then I ſay, I doubt not, but the Wiſdom of the Parliament will find out divers Demands and Requeſts to make to His Majeſty of greater benefit, and more neceſſary for the good of his People than this would be; which draws after it not only a preſent unſetledneſs, but the probable hazard of Miſery and Devaſtation for many years to come, as has been proved. So that on the one ſide the Parliament could not make a more unjuſtifiable War than upon this Account, ſo they could not be Diſſolved upon any occaſion wherein the People would not ſhew leſs diſcontent and reſentment, and for which the Courtiers would not hope to have a better pretext, to ſtrive in the next Choice to make their Arts and Endeavours more ſucceſsful in the Election of Members more ſuitable to their Deſigns for the continuance of their preſent miſ-government; For if this Parliament do miſ-ſpend the Peoples Mettle, which is now up, in driving that Nail which cannot go, they muſt look to have it cool, and ſo the Ship of this Com-

Commonwealth, which if they pleaſe may be now in a fair way of Entering into a Safe Harbour, will be driven to Sea again in a Storm, and muſt hope for, and expect another favourable Wind to ſave them; and God knows when that may come.

Noble Ven. Well, Sir, your Reaſoning in this point has extreamly ſatisfied me; and the Doctor, I ſuppoſe, was ſo before as he averred, therefore pray let us go on where we left.

Eng. Gent. I cannot take ſo much upon me as to be Dictator in the Method of our Cure, ſince either of you is a thouſand times better qualified for ſuch an Office, and therefore ſhall henceforth deſire to be an Auditor.

Doct. Pray, Sir, let us not ſpend time in Complements, but be pleaſed to proceed in this buſineſs, and we doubt not but as you have hitherto wonderfully delighted us, ſo you will gratifie us in concluding it.

Eng. Gent. I ſee I muſt obey you, but pray help me, and tell me in the firſt place, whether you do not both believe, that as the *cauſa cauſarum* of all our Diſtracti-

ſtractions is (as has been proved) the breach of our Government; ſo that the immediate Cauſes are two: Firſt, The great diſtruſt on both ſides between the King and his People and Parliament; the firſt fearing that his Power will be ſo leſſened by degrees, that at length it will not be able to keep the Crown upon his head: And the latter ſeeing all things in diſorder, and that the Laws are not executed (which is the ſecond of the two Cauſes) fear the King intends to change the Government, and be Arbitrary.

Noble Ven. I am a Stranger, but (though I never reflected ſo much upon the Original Cauſe, as I have done ſince I heard you diſcourſe of it) yet I ever thought that thoſe two were the Cauſes of the Unquietneſs of this Kingdom: I mean the Jealouſie between the King and his People, and the Inexecution of the great Laws of Calling Parliaments Annually, and letting them ſit to diſpatch their Affairs, I underſtand this in the time of His Majeſties Grand-Father, and Father, more than in His own Reign.

Eng.

Eng. Gent. Then whoever can absolutely lay these two Causes asleep for ever, will arrive to a perfect Cure; which I conceive no way of doing, but that the King have a great deal more Power or a great deal less: And you know that what goes out of the King must go into the People, and so *vice versa*: Insomuch that the People must have a great deal more Power, or a great deal less: Now it is no question, but either of these two, would rather encrease their Power than diminish it; so that if this cannot be made up by the Wisdom of this Age, we may see in the next, that both the King will endeavour to be altogether without a Parliament, and the Parliament to be without a King.

Doct. I begin to smell, that you would be nibbling at the pretence which some had before His Majesties Restauration of a Commonwealth or *Democracy*.

Eng. Gent. No, I abhor the thoughts of wishing, much less endeavouring any such thing, during these Circumstances we are now in; That is, under Oaths of Obedience to a Lawful King. And truly if any *Themistocles* should make to me

ſuch a Propoſal, I ſhould give the ſame Judgment concerning it, that *Ariſtides* did in ſuch a Caſe. The Story is ſhort; After the War between the *Greeks* and the *Perſians* was ended, and *Xerxes* driven out of *Greece*, the whole Fleet of the *Grecian* Confederates (except that of *Athens* which was gone home) lay in a great Arſenal (ſuch as were then in uſe) upon the Coaſt of *Attica*; during their abode there, *Themiſtocles* harrangues one day the People of *Athens* (as was then the Cuſtome) and tells them, that he had a deſign in his head, which would be of Infinite profit and advantage to the Commonwealth; But that it could not be executed without the Order and Authority of them, and that it did likewiſe require ſecreſie, and if it were declared there in the Market-place, where Strangers as well as Citizens might be preſent, it could not be concealed, and therefore propoſed it to their conſideration what ſhould be done in it, it was at length concluded that *Themiſtocles* ſhould propoſe it to *Ariſtides*, and if he did next morning acquaint the People that he gave his approbation to it, it ſhould be proceeded in: *Themiſtocles* informs

forms him that the whole Fleet of their Confederates in the War against the *Medes* had betaken themselves to the great Arsenal upon their Coast, where they might be easily fired, and then the *Athenians* would remain absolute Masters of the Sea, and so give Law to all *Greece*; when *Aristides* came the next day to deliver his Judgment to the People, he told them that the business proposed by *Themistocles*, was indeed very advantagious, and profitable to the *Athenians*; But withal, the most Wicked and Villanous Attempt that ever was undertaken; upon which it was wholly laid aside. And the same Judgment do I give, *Doctor*, of your *Democracy* at this time. But to return to the place where I was, I do believe that this difference may easily be terminated very fairly, and that our House need not be pulled down, and a new one built; but may be very easily repair'd, so that it may last many hundred years.

Noble. Ven. I begin to perceive that you aim at this, That the King must give the People more Power, as *Henry* the Third, and King *John* did, on the Parliament must give the King more, as you

ſaid they did in *France* in the time of *Lewis* the Eleventh, or elſe that it will come in time to a War again.

Eng. Gent. You may pleaſe to know, that in all times hitherto, the Parliament never demanded any thing of the King, wherein the Intereſt and Government of the Kingdom was concerned (excepting Acts of Pardon) but they founded their demands upon their Right, not only becauſe it might ſeem unreaſonable for them to be earneſt with him to give them that which was his own, but alſo becauſe they cannot chuſe but know, that all Powers which are Fundamentally and Lawfully in the Crown, were placed there upon the firſt Inſtitution of our Government; to capacitate the Prince to Govern and Protect his People: So that for the Parliament to ſeek to take from him ſuch Authority, were to be *felo de ſe*, as we call a ſelf-Homicide; but as in ſome Diſtempers of the Body the Head ſuffers as well as the Inferiour parts, ſo that it is not poſſible for it, to order, direct and provide for the whole Body as its Office requires, ſince the Wiſdom and Power which is placed there, is given by God to

to that end; In which Case, though the Distemper of the Body may begin from the Disease of some other part, or from the mass of Blood, or putrifaction of other Humours, yet since that noble part is so affected by it, that Reason and Discourse fails, therefore to restore this again, Remedies must be apply'd to, and possibly Humours or Vapours drawn from the Head it self, that so it may be able to Govern and Reign over the Body as it did before, or else the whole Man, like a Slave, must be ruled and guided *ab extrinseco*, that is by some Keeper: So it is now with us, in our Politick Disease, where granting (if you please) that the Distemper does not proceed from the Head, but the Corruption of other parts, yet in the Cure, Applications must be made to the Head as well as to the Members, if we mean poor *England* shall recover its former perfect health, and therefore it will be found, perhaps, Essential to our Being, to ask something (in the condition we now are) to which the King as yet may have a Right; and which except he please to part with, the *Phenomena* of Government cannot be salved; That

is, our Laws cannot be executed; nor *Magna Charta* it ſelf made practicable; and ſo both Prince and People, that is, the Polity of *England* muſt die of this Diſeaſe, or by this *Delirium* muſt be Governed, *ab extrinſeco*, and fall to the Lot of ſome Foreign Power.

Noble Ven. But, Sir, ſince the buſineſs is come to this *Dilemma*, why may not the King ask more Power of the Parliament as well as they of him?

Eng. Gent. No queſtion but our preſent Counſellours and Courtiers would be nibbling at that bait again, if they had another Parliament that would take Penſions for their Votes; But in one that is come freſh from the People, and underſtand their Sence and Grievances very well, I hardly believe they will attempt it, for both Council and Parliament muſt needs know by this time-a-day, that the Cauſe of all our Diſtractions coming (as has been ſaid an hundred times) from the King's having a greater Power already than the condition of Property at this preſent can admit, without Confuſion and Diſorder; It is not like to mend Matters for them to give him more, except they

they will deliver up to him at the ſame inſtant their Poſſeſſions, and Right to their Lands, and become Naturally and Politically his Slaves.

Noble Ven. Since there muſt be a voluntary parting with Power, I fear your Cure will prove long and ineffectual, and we Reconcilers ſhall, I fear, prove like our devout *Cappuchin* at *Venice*; this poor Mans name was *Fra. Barnardino da Udine*, and was eſteemed a very holy Man, as well as an excellent Preacher, inſomuch that he was appointed to Preach the *Lent* Sermons in one of our principal Churches, which he performed at the begining with ſo much Eloquence, and Applauſe, that the Church was daily crouded three hours before the Sermon was to begin; the eſteem and veneration this poor Fryar was in, elevated his Spirit a little too high to be contained within the bounds of Reaſon; but before his *Delirium* was perceived, he told his Auditory one day, that the true Devotion of that People, and the care they had to come to hear his words Preached, had been ſo acceptable to God and to the Virgine, that they had vouchſafed to Inſpire

him with the knowledge of an Expedient, which he did not doubt, but would make Men happy & juſt even in this Life, & that the Fleſh ſhould no longer luſt againſt the Spirit; but that he would not acquaint them with it at that preſent, becauſe ſomething was to be done on their parts to make them capable of this great Bleſſing, which was to pray zealouſly for a happy Succeſs upon his Endeavours, and to Faſt, and to viſit the Churches to that end, therefore he deſired them to come the *Wedneſday* following to be made acquainted with this bleſſed Expedient. You may Imagine how deſirous our People were, to hear ſomething more of this Fifth-Monarchy; I will ſhorten my Story, and tell you nothing of what crouding there was all night, and what quarrelling for places in the Church; nor with what difficulty the *Saffi*, who were ſent by the Magiſtrate to keep the Peace, and to make way for the Preacher to get into the Pulpit, did both; But up he got, and after a long preamble of deſiring more Prayers, and Addreſſing himſelf to our Senate to Mediate with the Pope, that a week might be ſet apart for a Jubilee and

Faſting

Faſting three days all over the Chriſtian World, to ſtorm Heaven with Maſſes, Prayers, Faſting and Almes to proſper his Deſigns; he began to open the Matter, that the Cauſe of all the Wickedneſs and Sin, and by Conſequence of all the Miſeries and Affliction which is in the World, ariſing from the enmity which is between God and the Devil, by which means God was often croſs'd in his Intentions of good to Mankind here, and hereafter, the Devil by his temptations making us uncapable of the Mercy and Favour of our Creator, therefore he had a Deſign (with the helps before mentioned) to mediate with Almighty God, That he would pardon the Devil, and receive him into his Favour again after ſo long a time of Baniſhment and Impriſonment, and not to take all his Power from him, but to leave him ſo much as might do good to Man, and not hurt; which he doubted not but he would imploy that way, after ſuch reconciliation was made, which his Faith would not let him queſtion. You may judge what the numerous Auditory thought of this; I can only tell you, that he had a different ſort

of

of Company at his return, from what he had when he came, for the Men left him to the Boys, who with great Hoops instead of Acclamations, brought him to the *Gondola*, which conveyed him to the *Redentor*, where he lodged; And I never had the curiosity to enquire what became of him after.

Doct. I thank you heartily for this Intermess; I see you have learnt something in *England*: for, I assure you, we have been these twenty Years turning this, and all serious Discourses, into Ridicule; but yet your Similitude is very pat; for in every Parliament that has been in *England* these sixty Years, we have had notable Contests between the Seed of the Serpent, and the Seed of the Woman.

Eng. Gent. Well Sir, we have had a *Michael* here in our Age, who has driven out *Lucifer*, and restored the true Deity to his Power: but where Omnipotency is wanting (which differs the Frier's Case and mine) the Devil of Civil War and Confusion may get up again, if he be not laid by Prudence and Vertue, and better Conjurers than any we have yet at Court.

Noble

Noble Ven. Well Gentlemen, I hope you have pardoned me for my Farce. But, to be a little more ſerious, pray tell me how you will induce the King to give up ſo much of his Right as may ſerve your turn? Would you have the Parliament make War with him again?

Eng. Gent. There cannot, nor ought to be, any Change, but by His Majeſty's free Conſent; for beſides, that a War is to be abhorred by all Men that love their Country, any Conteſt of that kind in this Caſe (*viz.* to take away the leaſt part of the Kings Right) could be juſtified by no man living. I ſay, beſides that, a Civil War has miſcarried in our days, which was founded (at leaſt pretendedly) upon Defence of the People's own Rights: In which, although they had as clear a Victory in the end, as ever any Conteſt upon Earth had, yet could they never reap the leaſt advantage in the World by it: but went from one Tyranny to another, from *Barebones* Parliament, to *Cromwell*'s Reign; from that, to a Committee of Safety; leaving thoſe Grave Men, who managed Affairs at the beginning, amazed to ſee new Men, and new

Prin-

Principles Governing *England*. And this induced them to Co-operate to bring things back just where they were before the War. Therefore this Remedy will be either none, or worse than the Disease: It not being now as it was in the Barons time, when the Lord who led out his Men, could bring them back again when he pleased, and Rule them in the mean time, being his Vassals. But now there is no Man of so much Credit, but that one who behaves himself bravely in the War, shall out-vye him; and, possibly, be able to do what he pleases with the Army and the Government: And in this corrupt Age, it is ten to one, he will rather do Hurt than Good with the Power he acquires. But because you ask me how we would perswade the King to this? I answer, by the Parliament's humbly Remonstrating to His Majesty, that it is his own Interest, Preservation, Quiet and true Greatness, to put an end to the Distractions of his Subjects, and that it cannot be done any other way, and to desire him to enter into debate with some Men Authorized by them, to see if there can be any other means than what they shall

ſhall offer to compoſe things: if they find there may, then to embrace it, otherwiſe to inſiſt upon their own Propoſals: and if in the end they cannot obtain thoſe Requeſts, which they think the only eſſential means to preſerve their Country, then to beg their Diſmiſſion, that they may not ſtay, and be Partakers in the Ruin of it. Now, my Reaſons why the King will pleaſe to grant this, after the through diſcuſſing of it, are two. Firſt, Becauſe all great Princes have ever made up Matters with their Subjects upon ſuch Conteſt, without coming to Extremities. The two Greateſt, and moſt Valiant of our Princes, were *Edward* the Firſt, and his Grandchild *Edward* the Third: theſe had very great Demands made them by Parliaments, and granted them all; as you may ſee upon the Statute-Book. *Edward* the Second, and *Richard* the Second, on the contrary, refuſed all things till they were brought to Extremity. There is Memorable Example in the Greek Story of *Theopompus* King of *Sparta*; whoſe Subjects finding the Government in diſorder for want of ſome Perſons that might be a Check upon the grate

great Power of the King, propoſed to him the Creation of the *Ephores* (Officers who made that City ſo Great and Famous afterwards.) The King finding by their Reaſons (which were unanſwerable, as I think ours now are,) that the whole Government of *Sparta* was near its Ruin, without ſuch a Cure; and conſidering that he had more to loſe in that Diſorder than others, freely granted their deſires; for which being derided by his Wife, who asked him what a kind of Monarchy he would leave to his Son? anſwered, a very good one, becauſe it will be a very laſting one. Which brings on my Second Reaſon, for which I believe the King will grant theſe things; becauſe he cannot any way mend himſelf, nor his Condition, if he do not.

Noble Ven. You have very fully convinced me of two things: Firſt, That we have no reaſon to expect or believe that the Parliament will ever increaſe the Kings Power: And then, that the King cannot by any way found himſelf a New, and more abſolute Monarchy, except he can alter the Condition of Property, which I think we may take for granted

to

to be impoſſible. But yet, I know not why we may not ſuppoſe that (although he cannot eſtabliſh to all Poſterity ſuch an Empire) he may, notwithſtanding, change the Government at the preſent; and calling Parliaments no more, adminiſter it by force, as it is done in *France*, for ſome good time.

Eng. Gent. in *France* it has been a long Work; and although that Tyranny was begun, as has heen ſaid, by Petition from the State themſelves, not to be aſſembled any more; yet the Kings ſince, in time of great Diſtraction, have thought fit to convocate them again; as they did in the Civil Wars thrice: Once at *Orleans*, and twice at *Blois*. I would not repeat what I have ſo tediouſly diſcourſed of concerning *France* already, but only to intreat you to remember that our Nation has no ſuch poor and numerous Gentry, which draw better Revenues from the King's Purſe, than they can from their own Eſtates; all our Country People conſiſting of Rich Nobility and Gentry, of Wealthy Yeomen, and of Poor Younger Brothers, who have little or nothing, and can never raiſe their Companies, if they

they ſhould get Commiſſions, without their Elder Brothers Aſſiſtance amongſt his Tenants, or elſe with the free conſent and deſire of the People, which, in this caſe, would hardly be afforded them. But we will ſuppoſe there be idle People enough to make an Army, and that the King has Money enough to Arm and Raiſe them: And I will grant too, to avoid tediouſneſs (although I do not think it poſſible) that the People will at the firſt, for fear, receive them into their Houſes, and Quarter them againſt Law; nay, pay the Money which ſhall be by Illegal Edicts, impoſed upon the Subjects to pay them; Yet is it poſſible An Army can continue any time to enſlave their own Country? Can they reſiſt the Prayers, or the Curſes of their Fathers, Brothers, Wives, Mothers, Siſters, and of all Perſons wherever they frequent. Upon this Account all the *Greek* Tyrants were of very ſhort Continuance; who being in chief Magiſtracy and Credit in their Commonwealths, by means of Soldiers and *Satellites*, uſurped the Soveraignty. But did ever any of them, excepting *Dionyſius*, leave it to his Family? Many Armies

mies of the Natives have deſtroyed Tyrannies: So the *Decemvirate* was ruined at *Rome*, the *Tarquins* expelled before that: Our own Country has been a Stage, even in our time, where this Tragedy has been ſufficiently acted; for the Army, after the War was done, fearing the Monarchy ſhould be reſtored again, held Councils, got Agitators; and though there were often very ſevere Executions upon the Ring-leaders, did at length, by their perſeverance, neceſſitate their Officers to joyn with them (having many good Head-pieces of the Party to adviſe them;) and ſo broke all Treaties. And the Parliament too, adhering to a ſmall Party of them who conſented to lay aſide Kingly Government, and afterwards drove them away too, fearing they would continue to Govern in an Oligarchy. I am far from approving this way they uſed, in which they broke all Laws, Divine and Humane, Political and Moral: But I urge it only to ſhew how eaſily an Army of Natives is to be deluded with the Name of Liberty, and brought to pull down any thing which their Ring-leaders tell them tends to enſlaving their Country. 'Tis true, this Army was af-

terwards cheated by their General; who without their Knowledge, much leſs Conſent, one Morning, ſuddenly made himſelf Tyrant of his Country. It is as true, that their Reputation (not their Arms) ſupported him in that State for ſome time; but it is certain that they did very often, and to the laſt, refuſe to be inſtrumental to levy Moneys, though for their own Pay: and ſo he, againſt his Will, was fain to call from time to time Parliamentary Conventions. And it is moſt certain that he did, in the Sickneſs of which he died, often complain that his Army would not go a ſtep farther with him: and, *de facto*, ſome Months after his death, they did dethrone his Son, and reſtore the Remainder of the old Parliament, upon promiſe made to them in ſecret (by the Demagogue of that Aſſembly) that a Commonwealth ſhould be ſpeedily framed and ſetled.

Noble Ven. Sir, I am ſatisfied that an Army raiſed here on a ſudden, and which never ſaw an Enemy, could not be brought to act ſuch high things for the Ruin of their own Government; nor poſſibly, would be any way able to reſiſt the Fury and Inſurrection of the People.

But

But what say you of a Forreign Army, raised by your King abroad, and brought over, whose Officers and Soldiers shall have no Acquaintance or Relations amongst the People here.

Eng. Gent. All Forces of that kind must be either Auxiliaries or Mercenaries: Auxiliaries are such as are sent by some Neighbour Prince or State, with their own Colours, and paid by themselves; though possibly, the Prince who demands them may furnish the Money. These usually return home again, when the occasion, for which they were demanded, is over: But whether they do or not, if if they be not mixed and over-ballanced with Forces which depend upon the Prince who calls them, but that the whole Weight and Power lies in them, they will certainly, first or last, seize that Country for their own Soveraign. And as for Mercenaries, they must be raised ('tis true) with the Money of the Prince who needs them, but by the Authority and Credit of some Great Persons who are to Lead and Command them: And these, in all Occasions, have made their own Commander Princes; as *F. Sforza* at *Milan* drove out by this trick the *Visconti*, ancient

Dukes of that State, and the *Mamalukes* in *Egypt* made themſelves a Military Commonwealth. So that the way of an Army here would either be no Remedy at all, or one very much worſe than the Diſeaſe to the Prince himſelf.

Noble Ven. Well Sir, I begin to be of Opinion, that any thing the King can grant the Parliament (eſpecially ſuch a Parliament as this is, which conſiſts of Men of very great Eſtates, and ſo can have no Intereſt to deſire Troubles) will not be ſo inconvenient to him, as to endeavour to break the Government by force. But why may he not, for this time, by ſoothing them, and offering them great Alliances abroad for the Intereſt of *England*, and ballancing Matters in *Europe* more eaven than they have been; and, in fine, by offering them a War with the *French*, to which Nation they have ſo great a hatred; lay them aſleep, and get good ſtore of Mony, and ſtave off this ſevere Cure you ſpeak of, at leaſt, for ſome time longer?

Eng. Gent. There has been ſomething of this done too lately; and there is a Gentleman lies in the Tower, who is to anſwer for it. But you may pleaſe to under-

understand, that there is scarce any amongst the middle sort of People, much less within the Walls of the House of Commons, who do not perfectly know, that we can have no Alliance with any Nation in the World that will signifie any thing to them, or to our selves, till our Government be redressed and new modelled. And therefore, though there were an Army Landed in this Island, yet that we must begin there, before we are fit to repulse them, or defend our selves. And the fear and sense of this People universally is, that if we should have any War, either for our own Concerns, or for those of our Allies, whilst Matters remain as they do at home, it would certainly come to this pass; that either being beaten, we should subject this Kingdom to an Invasion, at a time when we are in a very ill condition to repell it; or else, if we were Victorious, that our Courtiers and Counsellors *in fragranti*, or as the *French* cry, *d'emble*, would employ that Mettle and good Fortune to try some such Conclusions at home as we have been discoursing of. And therefore, if any War should be undertaken without Parliament, you should see the People rejoyce as much

at any disaster our Forces should receive, as they did when the *Scots* seized the four Northern Counties in 1639. or before that, when we were beaten at the Isle of *Rhee*, or when we had any Loss in the last War with *Holland*. And this Joy is not so unnatural as it may seem to those who do not consider the Cause of it; which is the breach of our old Government, and the necessity our Governors are under to make some new Experiments: And the fear we are in, that any Prosperity may make them able to try them, either with Effect, or at least with Impunity. Which Consideration made a Court-Droll say lately to His Majesty, (who seemed to wonder why his Subjects hated the *French* so much;) Sir, it is because you love them, and espouse their Interest: And if you would discover this Truth clearly, you may please to make War with the King of *France*; and then you shall see, that this People will not only love them, but take their parts, and wish them Success; but will exceedingly rejoyce when they are Victorious in sinking your Ships, or defeating your Forces. And this is sufficient to answer your Proposal for Alliances abroad, and for a War with

with *France*. Beſides this (to wind all up in a Word) it is not to be imagined, that ſo good and wiſe a Prince as we have at this time ſhould ever be induced (when he comes to underſtand perfectly his own Condition) to let his own Intereſt (granting his Power to be ſo, which is very falſe) conteſt with the Safety and Preſervation of his People, for which only it was given him; or that he will be any way tenacious of ſuch Prerogatives, as now, by a natural Revolution of Political Circumſtances, are ſo far from continuing uſeful to his Governing the People, that they are the only *Remora* and Obſtacle of all Government, Settlement and Order. For His Majeſty muſt needs know, that all Forms of regulating Mankind under Laws were ordained by God and Man, for the Happineſs and Security of the Governed, and not for the Intereſt and Greatneſs of thoſe who Rule; unleſs where there is *Melior Natura* in the Caſe. So God Governs Man for his own Glory only, and Men Reign over Beaſts for their own Uſe and Service; and where an Abſolute Prince rules over his own Servants whom he feeds and pays (as we have ſaid,) or the Maſter of a great and numerous Family Governs

his Houſhold; they are both bound by the Law of God and Nature, and by their own Intereſt, to do them Juſtice, and not *Inſœnire* or Tyranize over them, more than the neceſſity of preſerving their Empire and Authority requires.

Doct. But Sir, conſidering the difficulty which will be found in the King, and poſſibly in the Parliament too, to come up to ſo great an alteration at the firſt, and the danger that may happen by our remaining long in this unſetled Condition, which does hourly expoſe us to innumerable hazards, both at home, and from abroad; why may we not begin, and lay the Foundation now, by removing all His Majeſty's preſent Council by Parliament; which is no new thing, but hath been often practiſed in many Kings Reigns?

Eng. Gent. Firſt, the Council, that is, the Privy Council which you mean, is no part of our Government, as we may have occaſion to ſhew hereafter, nor is the King obliged by any Fundamental Law, or by any Act of Parliament to hearken to their Advice, or ſo much as to ask it; and if you ſhould make one on purpoſe, beſides that it would not be ſo

effectual

effectual as what we may propoſe, it would be full as hard to go down either with King or Parliament. But beſides all this, you would ſee ſome of theſe Counſellours ſo nominated by Parliament, perhaps prove honeſt, and then they would be forced to withdraw as ſome lately did, becauſe they found, I ſuppoſe, that till the Adminiſtration be alter'd, it is impoſſible that their Councils can be imbraced, or any thing be acted by them which may tend to the good of their Country, thoſe who have not ſo great a ſence of Honour and Integrity, will be preſently corrupted by their own Intereſt, whilſt the Prince is left in poſſeſſion of all thoſe baits and means to anſwer ſuch Mens expectations: It being moſt certain, that if you have a muſty Veſſel, and by conſequence diſlike the Beer which comes out of it, and draw it out, cauſing the Barrel to be immediately fill'd with good and ſound Liquor, it is certain by experience, that both your new Drink, and all that ever you ſhall put into the Cask, till it be taken in pieces, and the Pipes ſhaved, and new model'd, will be full as muſty, and unſavoury as the firſt which you found fault with.

Noble

Noble Ven. Now, Sir, I think we are at an end of our Queſtions, and I for my part am convinced, that as the King cannot better himſelf any way by falling out with his People at this time, ſo that his goodneſs and wiſdom is ſuch, that he will rather chuſe to imitate the moſt glorious and generous of his Predeceſſors, as *Edward* the Firſt, and *Edward* the Third, than thoſe who were of leſs worth, and more unfortunate, as *Edward* the Second, and *Richard* the Second. And therefore we are now ready to hear, what you would think fit to ask of ſo excellent a Prince.

Eng. Gent. I never undertook to be ſo preſumptuous; there is a Parliament to ſit ſpeedily, and certainly they are the fitteſt every way to ſearch into ſuch matters; and to anticipate their wiſdom would be unreaſonable, and might give them juſt offence. But becauſe all this tittle tattle may not go for nothing, I ſhall preſume to give you my thoughts, how the Cure muſt be wrought, without deſcending to particulars. The Cauſe Immediate (as we have ſaid) of our Diſeaſe, is the inexecution of our Laws; and it is moſt true, that when that is alter'd for the

the better, and that all our Laws are duly executed, we are in health; for as we can never have the entire benefit of them, till our Government is upon a right Basis; so whenever we enjoy this happiness, to have the full benefit of those Constitutions, which were made by our Ancestors for our safe and orderly living, our Government is upon a right Basis; therefore we must enquire into the Cause why our Laws are not executed, & when you have found and taken away that Cause, all is well. The Cause can be no other than this, That the King is told and does believe, that most of these great Charters or Rights of the People, of which we now chiefly treat, are against his Majesties Interest, though this be very false (as has been said) yet we will not dispute it at this time, but take it for granted, so that the King having the Supream execution of the Laws in his hand, cannot be reasonably supposed to be willing to execute them whenever he can chuse whether he will do it or no; it being natural for every man not to do any thing against his own Interest when he can help it; now when you have thought well what it should be that gives the King a Liberty

to

to chuſe whether any part of the Law ſhall be currant or no, you will find that it is the great Power the King enjoys in the Government; when the Parliament hath diſcovered this, they will no doubt demand of his Majeſty an abatement of his Royal Prerogative in thoſe matters only which concern our enjoyment of our All, that is our Lives, Liberties and Eſtates, and leave his Royal Power entire and untoucht in all the other branches of it, when this is done, we ſhall be as if ſome great Heroe had performed the adventure of diſſolving the Inchantment we have been under ſo many years. And all our Statutes from the higheſt to the loweſt, from *Magna Charta* to that for burying in Woollen will be current, and we ſhall neither fear the bringing in Popery, nor Arbitrary Power in the Intervals of Parliament, neither will there be any Diſſentions in them; all Cauſes of Factions between the Country and Court-party being entirely aboliſht; ſo that the People ſhall have no reaſon to diſtruſt their Prince, nor he them.

Doct. You make us a fine Golden Age, but after all this will you not be pleaſed to ſhew us a ſmall proſpect of this *Canaan*, or

or Country of reſt; will you not vouchſafe to particulariſe a little what Powers there are in the King, which you would have diſcontinued: would you have ſuch Prerogatives aboliſhed, or placed elſewhere?

Eng. Gent. There can be no Government if they be aboliſhed. But I will not be like a Man who refuſes to ſing amongſt his Friends at their entreaty, becauſe he has an ill Voice; I will rather ſuffer my ſelf to be laught at by you in delivering my ſmall Judgment in this Matter, but ſtill with this Proteſtation, that I do believe that an Infinity of Men better qualifi'd than my ſelf for ſuch ſublime Matters, and much more the Houſe of Commons, who repreſent the Wiſdom as well as the Power of this Kingdom, may find out a far better way, than my poor Parts and Capacity can ſuggeſt. The Power then which now being in the Crown do hinder the execution of our Laws, and prevent by conſequence our happineſs and ſettlement, are four; The abſolute Power of making War and Peace, Treaties and Alliances with all Nations in the World, by which means, by Ignorant Counſellours, or Wicked Miniſters, many

of

of our former Kings have made Confederations and Wars, very contrary, and destructive to the Interest of *England*, and by the unfortunate management of them have often put the Kingdom in great hazard of Invasion: Besides that, as long as there is a distinction made between the Court Party and that of the Country, there will ever be a Jealousie in the People, that those wicked Counsellours (who may think they can be safe no other way) will make Alliances with Powerful Princes, in which there may be a secret Article by which those Princes shall stipulate to assist them with Forces upon a short warning to curb the Parliament, and possibly to change the Government. And this apprehension in the People will be the less unreasonable, because *Oliver Cromwel* (the great Pattern of some of our Courtiers) is notoriously known to have Inserted an Article, in his Treaty with Cardinal *Mazzarin*, during this King of *France*'s Minority, That he should be assisted with ten thousand Men from *France* upon occasion to preserve and defend him in his Usurped Government, against His Majesty that now is, or the People of *England*, or in fine, his own Army, whose re-

volt

volt he often feared. The Second great Prerogative the King enjoys, is the ſole Diſpoſal and Ordering of the Militia by Sea and Land, Raiſing Forces, Garriſoning and Fortifying places, Setting out Ships of War, ſo far as he can do all this without putting Taxations upon the People; and this not only in the Intervals of Parliament, but even during their Seſſion, ſo that they cannot raiſe the Train-bands of the Country or City to guard themſelves, or ſecure the Peace of the Kingdom. The third point is, That it is in His Majeſties Power to Nominate and Appoint as he pleaſes, and for what time he thinks fit, all the Officers of the Kingdom that are of Truſt or Profit, both Civil, Military, and Eccleſiaſtical, (as they will be called) except where there is *Jus patronatus*; Theſe two laſt Powers may furniſh a Prince who will hearken to ill deſigning Counſellours, with the means either of Invading the Government by Force, or by his Judges and other Creatures undermining it by Fraud; Eſpecially by enjoying the Fourth Advantage, which is the Laying out and Imploying, as he pleaſes, all the Publick Revenues of the Crown or Kingdom, and that without

out having any regard (except he thinks fit) to the neceſſity of the Navy, or any other thing that concerns the Safety of the Publick. So that all theſe Four great Powers, as things now ſtand, may be adoperated at any time, as well to deſtroy and ruine the good Order and Government of the State, as to preſerve and ſupport it as they ought to do.

Nob. Ven. But if you diveſt the King of theſe Powers, will you have the Parliament ſit always to Govern theſe Matters?

Eng. Gent. Sir, I would not diveſt the King of them, much leſs would I have the Parliament aſſume them, or perpetuate their Sitting: They are a Body more fitted to make Laws, and puniſh the Breakers of them, than to execute them. I would have them therefore petition His Majeſty by way of Bill, that he will pleaſe to exerciſe theſe four great *Magnalia* of Government, with the Conſent of four ſeveral Councils to be appointed for that end, and not otherwiſe; that is, with the Conſent of the Major part of them, if any of them diſſent. In all which Councils His Majeſty, or who he pleaſes to appoint, ſhall preſide; the

Councils

Councils to be named in Parliament; firſt all the number, and every Year afterwards a third part: So each Year a third part ſhall go out, and a Recruit of an equal number come in: And in three Years they ſhall be all new, and no Perſon to come into that Council, or any other of the four, till he have kept out of any of them full three Years, being as long as he was in. And this I learnt from your *Quarantia's* at *Venice*: and the Uſe is excellent; for being in ſuch a Circulation, and ſure to have their Intervals of Power, they will neither grow ſo inſolent as to brave their King, nor will the Prince have any occaſion to corrupt them, although he had the means to do it, which in this new Model he cannot have. Theſe Men in their ſeveral Councils ſhould have no other Inſtructions, but to diſpoſe of all things, and act in their ſeveral Charges, for the Intereſt and Glory of *England*; and ſhall be Anſwerable to Parliament, from time to time, for any malicious or adviſed Miſdemeanor: only that Council which manages the Publick Revenue, ſhall (beſides a very copious and Honourable Revenue which ſhall be left to His Majeſty's diſpoſal for his own

Entertainment, as belongs to the Splendor and Majesty of the Government) have Instructions to serve His Majesty (if he pleases to command them, and not otherwise) in the regulating and ordering his Oeconomy and Houshold; and if they shall see it necessary, for extraordinary Occasions of treating Foreign Princes and Ambassadors, or Presenting them, and the like Ostentation of Greatness; to consent with His Majesty moderately to charge the Revenue to that end. I verily believe that this Expedient is much more effectual than either the *Justitia* of *Aragon* was, or the *Ephores* of *Sparta*: Who being to check the King almost in every thing, without having any share in his Councils, or understanding them, could not chuse but make a sullen posture of Affairs; whereas these both seem, and really are the King's Ministers, only obliged by Parliament to act faithfully and honestly; to which, even without that, all other Counsellors are bound by Oath. As for the other Council, now called the Privy Council, the King may still please to continue to nominate them at his pleasure, so they act nothing in any of the Matters properly within the Jurisdiction of

of these four Councils, but meddle with the Affairs of Merchants, Plantations, Charters, and other Matters, to which the Regal Power extendeth. And provided that His Majesty call none of the Persons employed in these other four Councils during their being so, nor that this Council do any way intermeddle with any Affairs, Criminal or Civil, which are to be decided by Law, and do belong to the Jurisdictions of other Courts or Magistrates; they being no established Judicatory, or Congregation, which either our Government or Laws do take notice of (as was said before) but Persons congregated by the King, as his Friends and faithful Subjects, to give him their Opinion in the Execution of his Regal Office. As for Example, the King does exercise, at this time, a Negative Voice as to Bills presented to him by the Parliament, which he claims by Right; no Man ever said that the Privy Council had a Negative Voice; yet former Kings did not only ask their Advice as to the passing or not passing of such Bills, but often decided the Matter by their Votes; which, although it be a high Presumption in them, when they venture to give him Counsel

contrary to what is given him by his greateſt Council, yet never any of them have been queſtioned for it; being looked upon as private Men, who ſpeak according to the beſt of their Cunning, and ſuch as have no publick Capacity at all. But if this be not ſo, and that this Council have ſome Foundation in Law, and ſome publick Capacity, I wiſh in this new Settlement it may be made otherwiſe, and that His Majeſty pleaſe to take their Counſel in private; but ſummon no Perſons to appear before them; much leſs give them Authority to ſend for in Cuſtody, or Impriſon any Subject, which may as well be done by the Judges and Magiſtrates; who, if Secrecy be required, may as well be Sworn to Secrecy as theſe Gentlemen; and I believe can keep Counſel as well, and give it too.

Noble Ven. But would you have none to manage State Affairs, none Impriſoned for ſecret Conſpiracies, and kept till they can be fully diſcovered? you have made an Act here lately about Impriſonments, that every Perſon ſhall have his *Habeas Corpus*, I think you call it: ſo that no Man, for what occaſion ſoever, can lie in Priſon above a Night, but the Cauſe muſt

muſt be revealed, though there be great cauſe for the concealing it.

Eng. Gent. This Act you mention, and a great many more which we have to the ſame purpoſe, that is, againſt Illegal Impriſonments, ſhews that for a long time the Power over Men's Purſes has been exerciſed (under His Majeſty) by ſuch as were very likely, rather to employ it ill than well; (that is) would rather Impriſon ten Men for Honourable Actions; ſuch as ſtanding for the People's Rights in Parliament, refuſing to pay Illegal Taxes, and the like, than one for projecting and inventing Illegal Monopolies, or any other kind of oppreſſing the People. This made firſt *Magna Charta*, then the *Petition of Right*, and divers other Acts beſides this laſt, take that Power quite away, and make the Law and the Judges the only Diſpoſers of the Liberties of our Perſons. And it may be, when the Parliament ſhall ſee the Fruit of this Alteration we are now diſcourſing of, and that State Affairs are in better hands, they may think fit to provide that a Return, or Warrant of Impriſonment from one of theſe Four Councils (which I ſuppoſe will have a Power of

Commitment given them, as to Perſons appearing Delinquents before them) wherein it ſhall be expreſſed, That if the Publick is like to ſuffer or be defrauded, if the Matter be immediately divulged; I ſay in this Caſe, the Parliament may pleaſe to make it Lawful, for the Judge to delay the Bailing of him for ſome ſmall time, becauſe it is not to be judged, that theſe Counſellours ſo choſen, and ſo inſtructed, and to continue ſo ſmall a time, will uſe this Power ill; eſpecially being accountable for any abuſing of it to the next Parliament. And I ſuppoſe the Parliament, amongſt other Proviſions in this behalf, will require that there ſhall be a Regiſter kept of all the Votes of theſe ſeveral Councils, with the names as well of thoſe who conſented, as of ſuch who diſſented: And as to the former part of your Queſtion, whether I would have none to manage State Affairs; I think there are very few State Affairs that do not concern either Peace and War and Treaties abroad, the management of the Arms, Militia, and *poſſe Comitatus* at home; the management of all the Publick Moneys, and the Election of all Officers whatſoever; the other parts

of

of State Affairs, which are Making and Repealing of Laws, punishing high Crimes against the State, with Levying and Proportioning all manner of Impositions upon the People, this is reserved to the Parliament it self; and the Execution of all Laws to the Judges, and Magistrates; And I can think of no other Affairs of State than these.

Doct. Do you intend that the Council for chusing Officers shall Elect them of the King's Houshold, that is, his Menial Servants?

Eng. Gent. No, that were unreasonable, except any of them have any Jurisdiction in the Kingdom, or any place or preheminence in Parliament annexed to such Office, but in these things which concern the Powers and Jurisdictions of these several Councils (wherein, *la guardia della laberta*, as *Machiavil* calls it, is now to be placed) I shall not presume to say any thing, but assure your self, if ever it come to that, it will be very well digested in Parliament, they being very good at contriving such Matters, and making them practicable, as well as at performing all other Matters that concern the Interest and greatness of the Kingdom.

Doct. I have thought that the *Ephores* of *Sparta* were an admirable Magistracy, not only for the Interest of the People, but likewise for the preservation of the authority of the Kings, and of their lives too; for *Plutarch* observes that the Citys of *Mesene* and *Argos* had the same Government with *Lacedemon*, and yet for want of erecting such an Authority as was in the *Ephores*, they were not only perpetually in broils amongst themselves, and for that reason ever beaten by their Enemies, whereas the *Spartans* were always victorious, but even their Kings were the most miserable of Men, being often call'd in question Judicially, and so lost their Lives, and many of them murdered by Insurrections of the People: And at last in both these Cities, the Kings were driven out, their Families extirpated, and the Government turn'd into a *Democracy*. And I ever thought that this expedient you propose (for I have heard you discourse of it often before now) would prove a more safe, and a more noble reformation than the Institution of the *Ephores* was, and that a Prince who is a lover of his Country, who is Gracious,

cious, Wise and Just, (such a one as it has pleased God to send us at this time) shall be ten times more absolute when this Regulation is made, than ever he was or could be before, and that whatsoever he proposes in any of these Councils will be received as a Law, nay, as an Oracle: And on the other side, ill and weak Princes shall have no possibility of corrupting Men, or doing either themselves or their People any kind of harm or mischief: But have you done now?

Eng. Gent. No, Sir, when this Provision is made for the Execution of the Laws, (which I think very effectual, not to say Infallible) although it is not to be doubted, but that there will be from time to time many excellent Laws Enacted; yet two I would have passed immediately, the one concerning the whole Regulation of the Elections to Parliament, which we need very much, and no doubt but it will be well done; that part of it which is necessary to go hand in hand with our Setlement, and which indeed must be part of it, is, that a Parliament be Elected every year at a certain day, and that without any Writ or Summons, the People Meeting of course at the time appointed in the

usual

uſual place (as they do in Pariſhes at the Church-Houſe to chuſe Officers) and that the Sheriffs be there ready to preſide and to certifie the Election. And that the Parliament ſo Choſen ſhall Meet at the time appointed, and Sit and Adjourn as their buſineſs is more or leſs urgent: But ſtill Adjourn, ſetting yet a time for their coming together again, but if there ſhall be a neceſſity (by reaſon of Invaſion or ſome other Cauſe) for their Aſſembling ſooner; then the King to Call the Counſellors of theſe Four Counſels all together, and with the conſent of the major part of them, intimate their Meeting ſooner; but when the day comes for the Annual Meeting of Another Parliament, they muſt be underſtood to be Diſſolved in Law, without any other Ceremony, and the new one to take their place.

Doct. I would have this conſidered too, and provided for, That no Election ſhould be made of any perſon who had not the majority of the Electors preſent to Vote for him; ſo the Writ orders it, and ſo Reaſon dictates; for elſe, how can he be ſaid to repreſent the County, if not a fifth part have conſented to his choice, as happens ſome times, and may do oftener,

for

for where ſeven or eight ſtand for one vacant place, as I have known in our laſt Long Parliament, where the Votes being ſet in Columns, he who has had moſt Votes, has not exceeded four hundred of above two thouſand who were preſent.

Noble Ven. This is a ſtrange way, I thought you had put every Man by himſelf, as we do in our Government, and as I underſtood they do in the Houſe of Commons, when there is any nomination, and then, if he has not the major part, he is rejected.

Eng. Gent. This is very Material, and indeed Eſſential; but I make no doubt, but if this Project ſhould come in play in Parliament, this and all other particulars (which would be both needleſs and tedious to diſcourſe of here) will be well and effectually provided for. The next Act I would have paſſed, ſhould be concerning the Houſe of Peers, that as I take it for granted, that there will be a Clauſe in the Bill concerning Elections, that no new Boroughs ſhall be enabled to ſend Members to Parliament, except they ſhall be capacitated thereunto by an Act, ſo it being of the ſame neceſſity as to the Liberty of Parliament, that the Peers (who do

do and muſt enjoy both a Negative and Deliberative Voice in all Parliamentary Tranſactions, except what concerns Levying of Money Originally) be exempted from depending abſolutely upon the Prince, and that therefore it be declared by Act, that for the future, that no Peer ſhall be made but by Act of Parliament, & then that it be Hereditary in his Male Line.

Noble Ven. I am not yet fully ſatisfied how you can order your Matters concerning this Houſe of Peers, nor do I ſee how the Conteſt between the Houſe of Commons and them, can be ſo laid aſleep, but that they will ariſe again: Beſides the Houſe of Commons muſt neceſſarily be extreamly concerned to find the Houſe of Peers, which conſiſts of private perſons, though very great and honourable ones, in an Inſtant daſh all that they have been ſo long hammering for the good of all the People of *England* whom they repreſent; were it not better now, you are upon ſo great alterations, to make an Annual Elective Senate, or at leaſt one wherein the Members ſhould be but for Life, and not Hereditary.

Eng. Gent. By no means, Sir, the leſs change the better, and in this Caſe the Meta-

Metaphyſical Maxime is more true than in any, *viz*, *Entia non ſunt multiplicanda ſine neceſſitate*; for great alterations fright Men, and puzzle them, and there is no need of it at all in this Caſe. I have told you before, that there is a neceſſity of a Senate, and how ſhort this Government would be without it, and how confuſed in the mean time; the *Roman* Senate was Hereditary amongſt the *Patricii*, except the Cenſor left any of them out of the Roll during his Magiſtracy, for ſome very great and ſcandalous offence; and in that Caſe too there was an Appeal to the People, as in all other Cauſes, witneſs the Caſe of *Lucius Quintus* and many others. To ſhew that there can be no need of ſuch a change here as you ſpeak of, you may pleaſe to conſider, that all differences between the ſeveral parts of any Government come upon the account of Intereſt, now when this Settlement is made, the Houſe of Peers, and the Houſe of Commons, can have no Intereſt to diſſent; For as to all things of private Intereſt, that is the Rights of Peers, both during the ſitting of Parliaments, and in the Intervals, is left to their own Houſe to judge of, as it is to the Houſe of Commons

mons to judge of their own Priviledges; And as for the conteſt of the Peers Juriſdiction as to Appeal from Courts of Equity; Beſides that I would have that ſetled in the Act which ſhould paſs concerning the Lords Houſe; I believe it will never happen more, when the Government is upon a right Foundation; it having been hitherto fomented by two different Parties, the Court Party ſometimes blowing up that difference to break the Seſſion, leſt ſome good Bills for the People ſhould paſs, or that the King by rejecting them, might diſcontent his People; to avoid which *Dilemma*, there needed no more, but to procure ſome perſon to proſecute his Appeal before the Lords; ſome honeſt Patriots afterwards poſſibly might uſe the ſame policy which they learnt from the Courtiers, to quaſh ſome Bill very deſtructive, in which they were out-voted in the Commons Houſe; otherwiſe it is ſo far from the Intereſt of the Commons to hinder Appeals from Courts of Equity, that there is none amongſt them, but know we are almoſt deſtroyed for want of it: And when they have conſidered well, and that ſome ſuch Reformation as this ſhall take place; they will

will find that it can never be placed in a more honourable and unbyas'd Judicatory than this; And I could wiſh that even in the Intermiſſion of Parliamentary Seſſions, the whole Peerage of *England*, as many of them as can conveniently be in Town, may ſit in their Judicial Capacities, and hear Appeals in Equity, as well as Judge upon Writs of Errour. Now as to your other Objection (which is indeed of great weight) that the Houſe of Commons muſt needs take it ill, that the Lords ſhould fruſtrate their endeavours for the Peoples good by their Negative; But if you conſider one thing, the force of this Objection will vaniſh; which is, That when this new Conſtitution ſhall be admitted, the Lords cannot have any Intereſt or temptation to differ with the Commons, in any thing wherein the Publick good is concerned, but are obliged by all the ties in the World, to run the ſame courſe and fortune with the Commons, their Intereſt being exactly the ſame; ſo that if there be any diſſenting upon Bills between the two Houſes, when each of them ſhall think their own Expedient conduces moſt to the advantage of the Publick; this difference will ever

ever be decided by right reaſon at Conferences; And the Lords may as well convince the Commons, as be convinced by them; and theſe Conteſts are and ever will be of admirable uſe and benefit to the Commonwealth, the reaſon why it is otherwiſe now, and that the Houſe of Peers is made uſe of to hinder many Bills from paſſing, that are ſuppoſed to be for the eaſe of the People, is, that the great Counſellours and Officers which ſit in that Houſe, do ſuggeſt (whether true or falſe) that it is againſt his Majeſties will and Intereſt that ſuch an Act ſhould paſs, whereupon it has found Obſtruction; but hereafter it cannot be ſo, firſt, becauſe our King himſelf cannot have any deſigns going (as was proved before) which ſhall make it his advantage to hinder any good intended his People, whoſe proſperity then will be his own. And then becauſe in a ſhort time, the Peers being made by Act of Parliament, will conſiſt of the beſt Men of *England* both for Parts and Eſtates, and thoſe who are already made, if any of them have ſmall Eſtates, the King if he had the Intereſt, would not have the means to corrupt them, the Publick Moneys, and the great Offices

Offices being to be diſpenſed in another manner than formerly, ſo their Lordſhips will have no Motive in the World to ſteer their Votes and Councils, but their own Honour and Conſcience, and the preſervation and proſperity of their Country. So that it would be both needleſs and unjuſt to pretend any change of this kind. Beſides, this alteration in the Adminiſtration of our Government being propoſed to be done by the unanimous conſent of King, Lords, and Commons, and not otherwiſe, it would be very prepoſterous to believe, that the Peers would depoſe themſelves of their Hereditary Rights, and betake themſelves to the hopes of being Elected; it is true, they have loſt the Power they had over the Commons, but that has not been taken from them by any Law, no more than it was given them by any; but is fallen by the courſe of Nature, as has been ſhewn at large; But though they cannot lead the Commons by their Tenures, as formerly, yet there is no reaſon or colour that they ſhould loſe their Co-ordination, which I am ſure they have by Law, and by the Fundamental Conſtitution of the Govern-

ment; and which is so far from being prejudicial to a lasting Settlement (as was said) that it infinitely contributes to it, and prevents the Confusion which would destroy it. If I should have proposed any thing in this Discourse which should have Intrenched upon the King's Hereditary Right, or that should have hindred the Majesty and Greatness of these Kingdoms from being represented by his Royal Person, I should have made your Story of the *Capuchine* Fryar very Applicable to me.

Noble Ven. I see you have not forgiven me that Novel yet; but pray give me leave to ask you one Question: Why do you make the Election of Great Officers, to be by a small secret Council, that had been more proper for a Numerous Assembly; as it is in most Common-Wealths?

Eng. Gent. It is so in Democracies, and was so in *Sparta*, and is done by your Great Council in *Venice*; but we are not making such a kind of Government, but rectifying an ancient Monarchy, and giving the Prince some help in the Administration of that great Branch of his Regality;

Regality; beſides, it is ſufficient, that our Parliament chuſes theſe Councils, (that is always underſtood the Lords and Commons, with the Kings Conſent;) beſides, it is poſſible, that if ſuch a Regulation as this come in Debate amongſt them, the Parliament will reſerve to it ſelf the Approbation of the Great Officers, as Chancellor, Judges, General Officers of an Army, and the like; and that ſuch ſhall not have a ſettlement in thoſe Charges, till they are accordingly allowed of; but may in the mean time exerciſe them. As to particulars, I ſhall always refer you to what the Parliament will judge fit to Order in the Caſe; but if you have any thing to Object, or to ſhew in general, that ſome ſuch Regulation as this cannot be effectual towards the putting our Diſtracted Country into better Order; I ſhall think my ſelf oblig'd to Anſwer you, if you can have Patience to hear me, and are not weary already; as you may very well be.

Noble Ven. I ſhall certainly never be weary of ſuch Diſcourſe; however I ſhall give you no further trouble in this matter; for I am very fully ſatisfied,

that ſuch Reformation, if it could be compaſſed, would not only Unite all Parties, but make you very Flouriſhing at home, and very Great abroad: but have you any hopes that ſuch a thing will ever come into Debate? what do the Parliament men ſay to it?

Eng. Gent. I never had any Diſcourſe to this purpoſe, either with any Lord, or Member of the Commons-houſe, otherwiſe than as poſſibly ſome of theſe Notions might fall in at Ordinary Converſation: For I do not intend to Intrench upon the Office of God, to teach our Senatours Wiſdom. I have known ſome men ſo full of their own Notions, that they went up and down ſputtering them in every Mans Face they met; ſome went to Great Men during our late troubles; nay, to the King himſelf, to offer their Expedients from Revelation. Two Men I was acquainted with, of which one had an Invention to reconcile differences in Religion; the other had a project for a Bank of Lands to lye as a Security for ſumms of Money lent; both theſe were Perſons of Great Parts and Fancy; but yet ſo troubleſome at all Times,

Times, and in all Companies, that I have often been forced to repeat an Excellent Proverb of your Country: God deliver me from a man that has but one buſineſs; and I aſſure you there is no Mans Reputation that I envy leſs, than I do that of ſuch Perſons; and therefore you may pleaſe to believe that I have not immitated them in ſcattering theſe Notions, nor can I Propheſie whether any ſuch Apprehenſions as theſe will ever come into the Heads of thoſe men who are our true Phyſitians. But yet to anſwer your Queſtion, and give you my Conjecture; I believe that we are not Ripe yet for any great Reform; not only becauſe we are a very Debauch'd People; I do not only mean that we are given to Whoreing, Drinking, Gaming and Idleneſs; but chiefly that we have a Politique Debauch, which is a neglect of all things that concern the publick wellfare, and a ſetting up our own private Intereſt againſt it; I ſay, this is not all, for then the Polity of no Country could be Redreſt: For every Common-Wealth that is out of order, has ever all theſe Debauches we ſpeak of, as

Conſequences of their looſe State. But there are two other Conſiderations which induce me to fear that our Cure is not yet near. The firſt is, becauſe moſt of the Wiſe and Grave Men of this Kingdom are very ſilent, and will not open their Budget upon any terms: and although they diſlike the preſent Condition we are in as much as any Men, and ſee the Precipice it leads us to, yet will never open their Mouths to preſcribe a Cure; but being asked what they would adviſe, give a ſhrug like your Country-men. There was a very conſiderable Gentleman as moſt in *England*, both for Birth, Parts and Eſtate, who being a Member of the Parliament that was called, 1640. continued all the War with them; and by his Wiſdom and Eloquence (which were both very great) promoted very much their Affairs. When the Factions began between the Presbyters and Independants, he joyned Cordially with the latter, ſo far as to give his Affirmative to the Vote of No Addreſſes; that is, to an Order made in the Houſe of Commons, to ſend no more Meſſages to the King, nor

to

to receive any from him. Afterwards, when an Assault was made upon the House by the Army, and divers of the Members taken violently away, and Secluded; he disliking it (though he were none of them) voluntarily absented himself, and continued retired; being exceedingly averse to a Democratical Government, which was then declared for, till *Cromwell*'s Usurpation; and being infinitely courted by him, absolutely refused to accept of any Employment under him, or to give him the least Counsel. When *Cromwell* was dead, and a Parliament called by his Son, or rather by the Army, the chief Officers of which did, from the beginning, whisper into the Ears of the Leading Members, that if they could make an honest Government, they should be stood by (as the Word then was) by the Army. This Gentleman, at that time, neither would be Elected into that Parliament, nor give the least Advice to any other Person that was; but kept himself still upon the Reserve. Insomuch that it was generally believed, that although he had ever been opposite to the late King's coming to the

Government again, though upon Propoſitions; yet he might hanker after the Reſtoration of His Majeſty that now is. But that Apprehenſion appeared Groundleſs when it came to the pinch: for being conſulted as an Oracle by the then General *Monk*, whether he ſhould reſtore the Monarchy again or no, would make no Anſwer, nor give him the leaſt Advice; and, *de facto*, hath ever ſince kept himſelf from Publick Buſineſs; although, upon the Baniſhment of my Lord of *Clarendon*, he was viſited by one of the Greateſt Perſons in *England*, and one in as much Eſteem with His Majeſty as any whatſoever, and deſired to accept of ſome great Employment near the King; which he abſolutely refuſing, the ſame Perſon, not a Stranger to him, but well known by him, begged of him to give his Advice how His Majeſty (who deſired nothing more than to unite all his People together, and repair the Breaches which the Civil War had cauſed, now my Lord *Clarendon* was gone, who by his Counſels kept thoſe Wounds open) might perform that Honourable and Gracious Work: but ſtill this Gentleman made

made his Excuſes: And, in ſhort, neither then, nor at any time before or after (excepting when he ſate in the Long Parliament of the Year 40.) neither during the diſtracted Times, nor ſince His Majeſty's Return, when they ſeemed more repoſed, would ever be brought, either by any private intimate Friend, or by any Perſon in Publick Employment, to give the leaſt Judgment of our Affairs, or the leaſt Counſel to mend them, though he was not ſhye of declaring his diſlike of Matters as they went. And yet this Gentleman was not only by repute, and eſteem a wiſe Man, but was really ſo, as it appeared by his management of buſineſs, and drawing Declarations, when he was contented to act; as alſo by his exceeding prudent managing of his own Fortune, which was very great, and his honourable Living and providing for his Family; his Daughters having been all Marryed to the beſt Men in *England*; and I dare aſſure you, there are above an hundred ſuch Men in *England*, though not altogether of that eminency.

Noble

Noble Ven. Methinks theſe perſons are altogether as bad an extream as the loquacious men you ſpoke of before. I remember when I went to School, our Maſter, amongſt other Common-places in the commendation of ſilence, would tell us of a Latine ſaying, That a Fool whilſt he held his peace did not differ from a Wiſe man; but truly I think we may as truly ſay, That a wiſe man whilſt he is ſilent does not differ from a Fool; for how great ſoever his Wiſdom is, it can neither get him credit, nor otherwiſe advantage himſelf, his Friend, nor his Country. But let me not divert you from your other point.

Eng. Gent. The next Reaſon I have to make me fear that ſuch an Expedient as we have been talking of, will not be propoſed ſuddenly, is the great diſtruſt the Parliament has of men, which will make moſt Members ſhy of venturing at ſuch matters, which being very new, at the firſt motion are not perfectly underſtood, at leaſt to ſuch as have not been verſed in Authors who have written of the Politicks; and therefore the Mover may be ſuſpected of having been ſet on

by

by the Court Party to puzzle them, and ſo to divert, by offering new Expedients, ſome ſmart mettleſome Debates they may be upon concerning the Succeſſion to the Crown, or other high matters: For it is the nature of all Popular Counſels (even the wiſeſt that ever were, witneſs the People of *Rome* and *Athens*, which *Machiavil* ſo much extols) in turbulent times, to like diſcourſes that heighten their Paſſions, and blow up their Indignation, better than them that endeavour to rectifie their Judgments, and tend to provide for their ſafety. And the truth is, our Parliament is very much to be excuſed, or rather juſtified in this diſtruſt they have of Perſons, ſince there hath been of late ſo many and ſo ſucceſsful attempts uſed by the late great Miniſters, to debauch the moſt eminent Members of the Commons-Houſe, by Penſions and Offices; and therefore it would wonderfully conduce to the good of the Common wealth, and to the compoſing our diſordered State, if there were men of ſo high and unqueſtionable a Reputation, that they were above all ſuſpicion and diſtruſt, and ſo might venture upon bold

bold, that is (in this caſe) moderate Counſels, for the ſaving of their Country. Such men there were in the Parliament of 1640. at leaſt twenty or thirty, who having ſtood their ground in ſeven Parliaments, before which in the two laſt Kings Reigns had been diſſolved abruptly and in wrath, and having reſiſted the fear of Impriſonment and great Fines, for their love to *England*, as well as the temptation of Money and Offices to betray it, both inferred by the wicked Counſellours of that Age, tending both to the ruine of our juſt Rights, and the detriment of their Maſters Affairs; I ſay, having conſtantly, and with great magnanimity and honour made proof of their Integrity, they had acquired ſo great a Reputation, that not only the Parliament, but even almoſt the whole People ſtuck to them, and were ſwayed by them in Actions of a much higher nature than any are now diſcourſed of, without fear of being deſerted, or as we ſay, left in the lurch, as the People of *France* often are by their Grandees, when they raiſe little Civil Wars to get great Places, which as ſoon as they are offered,

they

they lay down Arms, and leave their Followers to be hang'd; but altho these two reasons of the silence of some wise men, and the want of reputation in other, does give us but a sad prospect of our Land of Promise, yet we have one Consideration, which does incourage us to hope better things ere long. And that is the Infallible Certainty that we cannot long Continue as we are, and that we can never Meliorate, but by some such Principles, as we have been here all this while discoursing of, and that without such helps and succours as may be drawn from thence, we must go from one distraction to another, till we come into a Civil War, and in the close of it be certainly a prey to the King of *France*, who, (on which side it matters not) will be a Gamester, and sweep Stakes at last; the World not being now equally ballanced between two Princes alike powerful, as it was during our last Civil War; and if as well this danger, as the only means to prevent it, be understood in time, (as no doubt it will) we shall be the happiest and the greatest Nation in the World in a little time; and in the mean time, enjoy the best

beſt and moſt juſt eaſie Government of any People upon Earth. If you ask me whether I could have offer'd any thing that I thought better than this, I will anſwer you as *Solon* did a Philoſopher, who askt him whether he could not have made a better Government for *Athens*? Yes, but that his was the beſt, that the People would or could receive. And now I believe you will bear me witneſs, that I have not treated you as a Wiſe man would have done in ſilence, but it is time to put an end to this tittle tattle which has nauſeated you for three days together.

Noble Ven. I hope you think better of our Judgments than ſo; but I believe you may very well be weary.

Doct. I am ſure the Pariſh Prieſts are often thanked for their pains, when they have neither taken half ſo much as you have, nor profited their Auditory the hundredth part ſo much.

Eng. Gent. The anſwer to Thank you for your pains, is always, Thank you, Sir, for your patience; and ſo I do very humbly both of you.

Noble Ven. Pray, Sir, when do you leave the Town?

Eng. Gent. Not till you leave the Kingdom, I intend to ſee you, if pleaſe God, aboard the Yacht at *Graveſend.*

Noble Ven. I ſhould be aſhamed to put you to that trouble.

Eng. Gent. I ſhould be much more troubled if I ſhould not do it; in the mean time I take my leave of you for this time, and hope to wait on you again to morrow. What, *Doctor*, you ſtay to Conſult about the Convaleſcence? Adieu to you both.

Doct. Farewell, Sir.

Nullum numen abeſt ſi ſit prudentia

FINIS.